

106TH CONGRESS  
1ST SESSION

# S. 1203

To amend the Older Americans Act of 1965 to extend authorizations of appropriations for programs under the Act through fiscal year 2004, to establish a National Family Caregiver Support Program, to modernize aging programs and services, to address the need to engage in life course planning, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

JUNE 10, 1999

Ms. MIKULSKI (for herself, Mr. FEINGOLD, Mr. DODD, Mrs. MURRAY, and Mrs. LINCOLN) (by request) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

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## A BILL

To amend the Older Americans Act of 1965 to extend authorizations of appropriations for programs under the Act through fiscal year 2004, to establish a National Family Caregiver Support Program, to modernize aging programs and services, to address the need to engage in life course planning, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE; REFERENCES IN ACT; TABLE OF**  
 2 **CONTENTS.**

3 (a) SHORT TITLE.—This Act may be cited as the  
 4 “Older Americans Act Amendments of 1999”.

5 (b) REFERENCES.—Except where otherwise specifi-  
 6 cally provided, references in this Act shall be considered  
 7 to be made to the Older Americans Act of 1965, or to  
 8 a section or other provision thereof.

9 (c) TABLE OF CONTENTS.—The table of contents of  
 10 this Act is as follows:

Sec. 1. Short title; references in Act.

**TITLE I—AMENDMENTS TO THE OLDER AMERICANS ACT OF 1965**

**PART A—ADMINISTRATION ON AGING**

- Sec. 101. National Eldercare Locator Service.
- Sec. 102. Repeal of executed requirements.
- Sec. 103. Development of performance outcome measures.
- Sec. 104. Federal agency consultation.
- Sec. 105. Acceptance of gifts for certain purposes.
- Sec. 106. Authorization of appropriations.

**PART B—STATE AND COMMUNITY PROGRAMS ON AGING**

- Sec. 111. Clarification concerning services to non-elderly.
- Sec. 112. Reorganization and streamlining of area plan requirements.
- Sec. 113. Coordination of services for individuals with disabilities under area plans.
- Sec. 114. Eligibility of older Native Americans for services under area plans.
- Sec. 115. Reorganization and streamlining of state plan requirements.
- Sec. 116. Health care information systems.
- Sec. 117. State option for cost sharing.
- Sec. 118. State option concerning consumer-directed services.
- Sec. 119. State-area agency service innovation development projects.
- Sec. 120. Transfer of funds between programs.
- Sec. 121. Availability of disaster relief funds to tribal organizations.
- Sec. 122. Nutrition services incentive program.
- Sec. 123. Waivers of certain requirements for State programs.
- Sec. 124. Consolidation of authorities for supportive services and senior centers.
- Sec. 125. Consolidation of authorities for nutrition services.
- Sec. 126. National family caregiver support program.
- Sec. 127. Authorization of appropriations.

PART C—STATE AND LOCAL INNOVATIONS AND PROGRAMS OF NATIONAL SIGNIFICANCE

- Sec. 141. Revision of title IV.
- Sec. 142. Authorization of appropriations.

PART D—COMMUNITY SERVICE EMPLOYMENT FOR OLDER AMERICANS

- Sec. 151. Purposes of projects.
- Sec. 152. Program authorized.
- Sec. 153. Administration.
- Sec. 154. Equitable distribution of assistance.
- Sec. 155. Authorization of appropriations.
- Sec. 156. Workforce investment activities.
- Sec. 157. Additional provisions.

PART E—GRANTS FOR NATIVE AMERICANS

- Sec. 161. Limit of one grant per Native American organization.
- Sec. 162. Expenditures for nutrition services.
- Sec. 163. Authorization of appropriations.

PART F—VULNERABLE ELDER RIGHTS PROTECTION

- Sec. 171. Consolidated authorization of appropriations and related amendments.
- Sec. 172. Life course planning program.
- Sec. 173. Demonstration authority extended to life course planning.
- Sec. 174. Amendment of inconsistent provisions concerning assistance program for insurance and public benefits.

PART G—DEFINITIONS

- Sec. 181. Definitions.

PART H—EFFECTIVE DATE

- Sec. 191. Effective date.

TITLE II—WHITE HOUSE CONFERENCE ON AGING

- Sec. 201. White House Conference authorized.
- Sec. 202. Conference administration.
- Sec. 203. Policy Committee; related committees.
- Sec. 204. Report of the Conference.
- Sec. 205. Definitions.
- Sec. 206. Authorization of appropriations.

1 **TITLE I—AMENDMENTS TO THE**  
 2 **OLDER AMERICANS ACT OF 1965**

3 **PART A—ADMINISTRATION ON AGING**

4 **SEC. 101. NATIONAL ELDERCARE LOCATOR SERVICE.**

5 Section 202(a)(24) (42 U.S.C. 3012(a)(24)) is  
 6 amended to read as follows:

7 “(24) develop and operate, either directly  
 8 or through contracts, grants, or cooperative  
 9 agreements, a National Eldercare Locator Serv-  
 10 ice, providing nationwide toll-free information  
 11 and assistance services to identify community  
 12 resources for older individuals;”.

13 **SEC. 102. REPEAL OF EXECUTED REQUIREMENTS.**

14 (a) STUDY ON TARGETING OF FUNDS.—Section  
 15 202(a) (42 U.S.C. 3012(a)) is amended—

16 (1) by striking paragraph (27); and

17 (2) by redesignating paragraphs (28) through  
 18 (30) as paragraphs (27) through (29), respectively.

19 (b) EVALUATION OF NUTRITION SERVICES.—Section  
 20 206 (42 U.S.C. 3017) is amended—

21 (1) by striking subsection (g); and

22 (2) by redesignating subsection (h) as sub-  
 23 section (g).

1 **SEC. 103. DEVELOPMENT OF PERFORMANCE OUTCOME**  
2 **MEASURES.**

3 Section 202 (42 U.S.C. 3012) is amended by adding  
4 at the end the following new subsection:

5 “(f) PERFORMANCE OUTCOME MEASURES.—

6 “(1) IN GENERAL.—The Assistant Secretary, in  
7 accordance with the process described in paragraph  
8 (2), shall develop in collaboration with a representa-  
9 tive group of State and area agencies on aging, and  
10 publish by December 31, 2000, a set of performance  
11 outcome measures to be used for planning, man-  
12 aging, and evaluating activities performed and serv-  
13 ices provided under the Act.

14 “(2) DEVELOPMENT PROCEDURE.—The process  
15 for developing the performance outcome measures  
16 described in paragraph (1) shall include—

17 “(A) a review of such measures currently  
18 in use by State and area agencies on aging;

19 “(B) development of a set of such meas-  
20 ures that provide information about the major  
21 activities performed and services provided under  
22 this Act;

23 “(C) pilot testing of the proposed set of  
24 such measures, including an identification of re-  
25 source, infrastructure, and data collection  
26 issues at the State and local levels; and

1                   “(D) evaluation of the pilot test and rec-  
2                   ommendations for modification of the proposed  
3                   measures.”.

4 **SEC. 104. FEDERAL AGENCY CONSULTATION.**

5           Section 203(b) (42 U.S.C. 3013(b)) is amended—

6                   (1) by striking “and” at the end of paragraph  
7                   (17);

8                   (2) by striking the period at the end of para-  
9                   graph (18) and inserting “; and”; and

10                  (3) by adding at the end the following new  
11                  paragraph:

12                   “(19) title I of the Workforce Investment Act  
13                   of 1998.”.

14 **SEC. 105. ACCEPTANCE OF GIFTS FOR CERTAIN PURPOSES.**

15           Section 215 (42 U.S.C. 3020f) is amended—

16                   (1) in the caption, by striking “APPROPRIA-  
17                   TIONS” and inserting “APPROPRIATIONS; GIFTS.”;  
18                   and

19                   (2) by adding at the end the following new sub-  
20                   section:

21                   “(c) GIFTS.—

22                   “(1) AUTHORITY TO ACCEPT GIFTS.—The As-  
23                   sistant Secretary may accept, on behalf of the  
24                   United States, gifts (in cash or in kind, including  
25                   voluntary and uncompensated services), which shall

1 be available until expended for the purposes specified  
2 in paragraph (2). Gifts of cash shall be available in  
3 addition to amounts appropriated to carry out this  
4 Act.

5 “(2) USE OF GIFTS.—Gifts accepted pursuant  
6 to paragraph (1) may be used either directly, or for  
7 grants to or contracts with public or non-profit pri-  
8 vate entities, for the following activities under this  
9 title:

10 “(A) The design and implementation of  
11 demonstrations of innovative ideas and best  
12 practices in programs and services for older in-  
13 dividuals.

14 “(B) The planning and conduct of con-  
15 ferences for the purpose of exchange among  
16 concerned individuals and public and private  
17 entities and organizations of information relat-  
18 ing to programs under this Act and other pro-  
19 grams and services for older individuals.

20 “(C) The development, publication, and  
21 dissemination of informational materials (in  
22 print, visual, electronic, or other media) relating  
23 to the programs and services under this Act  
24 and other matters of concern to older individ-  
25 uals.

1           “(3) ETHICS GUIDELINES.—The Assistant Sec-  
 2       retary shall establish written guidelines setting forth  
 3       the criteria to be used in determining whether the  
 4       acceptance of gifts or donations pursuant to this  
 5       paragraph would reflect unfavorably upon the ability  
 6       of the Administration on Aging, or the Department  
 7       of Health and Human Services, or any employee to  
 8       carry out its responsibilities or official duties in a  
 9       fair and objective manner, or would compromise the  
 10      integrity or the appearance of integrity of its pro-  
 11      grams or of any official involved in those pro-  
 12      grams.”.

13 **SEC. 106. AUTHORIZATIONS OF APPROPRIATIONS.**

14       (a) FEDERAL COUNCIL ON THE AGING.—Section  
 15 204(g) (42 U.S.C. 3015(g)) is amended by striking all  
 16 that follows “There are authorized to be appropriated”  
 17 and inserting “such sums as may be necessary to carry  
 18 out this section.”.

19       (b) ADMINISTRATION ON AGING.—Section 215 (42  
 20 U.S.C. 3020f) (as amended by section 102) is further  
 21 amended—

22           (1) by striking “for the Administration” and all  
 23       that follows and inserting the following:

24       “for the Administration—

25           “(1) \$16,830,000 for fiscal year 2000; and

1 “(2) such sums as may be necessary for each  
2 of the four succeeding fiscal years.”;

3 (2) by striking subsection (b); and

4 (3) by redesignating subsection (c) (as added by  
5 section 102) as subsection (b).

6 **PART B—STATE AND COMMUNITY PROGRAMS ON**  
7 **AGING**

8 **SEC. 111. CLARIFICATION CONCERNING SERVICES TO NON-**  
9 **ELDERLY.**

10 Section 301 (42 U.S.C. 3021) is amended by adding  
11 at the end the following new subsection:

12 “(d) SCOPE OF SERVICES; USE OF FUNDS.—

13 “(1) RESTRICTED USE OF RESOURCES UNDER  
14 THE ACT.—Federal funds paid to States under this  
15 title, and cash and in-kind contributions required by  
16 section 304(d) as the non-Federal share of expendi-  
17 tures under this title, shall be used only for activities  
18 and services to benefit older individuals and other  
19 individuals as specifically provided in this title.

20 “(2) RESTRICTION INAPPLICABLE TO OTHER  
21 RESOURCES.—Neither paragraph (1) nor any other  
22 provision of this title shall be construed to prohibit  
23 State or area agencies on aging from engaging in ac-  
24 tivities or providing services to benefit individuals  
25 not described in paragraph (1) using cash or in-kind

1 resources from sources not described in paragraph  
 2 (1).”.

3 **SEC. 112. REORGANIZATION AND STREAMLINING OF AREA**  
 4 **PLAN REQUIREMENTS.**

5 (a) AREA PLAN REQUIREMENTS.—Section 306(a)  
 6 (42 U.S.C. 3026(a)) is amended—

7 (1) in the matter preceding paragraph (1), by  
 8 striking “Each such plan shall—” and inserting  
 9 “Each such plan shall comply with the following re-  
 10 quirements.”;

11 (2) in paragraph (1), to read as follows:

12 “(1) SERVICES PROVIDED.—The plan shall pro-  
 13 vide for the furnishing, through a comprehensive  
 14 and coordinated system, of services the need for  
 15 which has been determined pursuant to paragraph  
 16 (3), including—

17 “(A) supportive services (including at least  
 18 the service specified in paragraph (2);

19 “(B) nutrition services; and

20 “(C) where appropriate, the establishment,  
 21 maintenance, or construction of multipurpose  
 22 senior centers.”;

23 (3) in paragraph (2)—

24 (A) by inserting “PRIORITY SERVICES.—  
 25 The plan shall” after “(2)”;

1 (B) by striking “section 307(a)(22)” and  
2 inserting “section 307(a)(2)”;

3 (C) by striking “and specify annually in  
4 such plan, as submitted or as amended” and in-  
5 serting “and assurances that the area agency  
6 will report annually to the State agency”; and

7 (D) by striking the semicolon at the end  
8 and inserting a period;

9 (4) by striking paragraphs (3) (designation of  
10 focal points for service delivery in each community)  
11 and (4) (information and assistance services);

12 (5) by inserting after paragraph (2) the fol-  
13 lowing new paragraph:

14 “(3) DETERMINATION OF NEEDS.—The plan  
15 shall provide for determining the extent of need for  
16 the services specified in paragraphs (1) and (2) in  
17 the area taking into consideration, among other  
18 things—

19 “(A) the numbers of older individuals re-  
20 siding in such area—

21 “(i) who have low incomes;

22 “(ii) who have greatest economic need  
23 (with particular attention to low-income  
24 minority individuals);

1 “(iii) who have greatest social need  
 2 (with particular attention to low-income  
 3 minority individuals); or

4 “(iv) who are Native Americans; and  
 5 “(B) the effectiveness of use of resources  
 6 (including efforts of volunteers and voluntary  
 7 organizations) in meeting such need.”;

8 (6) by redesignating paragraph (5) as para-  
 9 graph (4), and amending the paragraph—

10 (A) by inserting “OBJECTIVES FOR SERV-  
 11 ICES TO OLDER INDIVIDUALS WITH GREATEST  
 12 NEED.—The plan shall” after “(4)”; and

13 (B) by striking the semicolon at the end  
 14 and inserting a period;

15 (7) in paragraph (6)—

16 (A) by inserting “POLICY DEVELOP-  
 17 MENT.—The plan shall—” after “(6)”; and

18 (B) by striking subparagraphs (A) (evalua-  
 19 tions and public hearings) and (B) (technical  
 20 assistance to providers);

21 (C) by relocating and redesignating sub-  
 22 paragraph (D) as subparagraph (A);

23 (D) by relocating and redesignating sub-  
 24 paragraph (F) as subparagraph (B);

1 (E) by relocating and redesignating sub-  
 2 paragraph (M) as subparagraph (D);

3 (F) by striking the semicolon at the end of  
 4 subparagraph (D) (as so redesignated) and in-  
 5 serting a period; and

6 (G) by striking subparagraphs (E) (ar-  
 7 rangements with specified organizations), (G)  
 8 (methods for determining priority services), (J)  
 9 (identification of protective service providers),  
 10 (L) (coordination of services for Alzheimer's pa-  
 11 tients), (O) (information on higher education),  
 12 (Q) (coordination with housing providers), (R)  
 13 (telephone listings of area agencies), and (S)  
 14 (coordination of transportation services);

15 (8) by striking paragraphs (7) through (10)  
 16 (assurances that funds will be spent for the purposes  
 17 awarded);

18 (9) by striking subparagraphs (I) and (K) of  
 19 paragraph (6) (community-based long-term care  
 20 services) and inserting after paragraph (6) the fol-  
 21 lowing new paragraph:

22 “(7) COMMUNITY-BASED LONG-TERM CARE  
 23 SERVICES.—The plan shall provide that the area  
 24 agency will facilitate the coordination of community-  
 25 based, long-term care services designed to enable

1 older individuals to remain in their homes, by means  
 2 including—

3 “(A) development of case management  
 4 services as a component of the long-term care  
 5 services, consistent with the requirements of  
 6 paragraph (8);

7 “(B) involvement of long-term care pro-  
 8 viders in the coordination of such services; and

9 “(C) increasing community awareness of  
 10 and involvement in addressing the needs of resi-  
 11 dents of long-term care facilities.”;

12 (10) by relocating and redesignating paragraph  
 13 (20) as paragraph (8), and amending such para-  
 14 graph by inserting “PROVISION OF CASE MANAGE-  
 15 MENT SERVICES.—The plan shall” after “(8)”;

16 (11) by redesignating paragraph (11) as para-  
 17 graph (9), and amending such paragraph—

18 (A) by inserting “MAINTENANCE OF EF-  
 19 FORT FOR OMBUDSMAN PROGRAM.—The plan  
 20 shall” after “(9)”;

21 (B) by striking “section 307(a)(12)” and  
 22 inserting “section 307(a)(9)”;

23 (C) by striking the semicolon at the end  
 24 and inserting a period;

1           (12) by redesignating and relocating paragraph  
2           (6)(P) as paragraph (10), and amending such  
3           paragraph—

4                   (A) by inserting “GRIEVANCE PROCE-  
5                   DURE.—The plan shall” after “(10)”; and

6                   (B) by striking the semicolon and inserting  
7                   a period;

8           (13) by striking paragraphs (6)(N), (18), and  
9           (19), and inserting after paragraph (10) the fol-  
10          lowing paragraph:

11                   “(11) SERVICES TO NATIVE AMERICANS.—The  
12                   plan shall provide the following assurances con-  
13                   cerning services to older Native Americans:

14                           “(A) If there is a significant population of  
15                           older individuals who are Native Americans in  
16                           the area, the area agency will pursue activities,  
17                           including outreach, to increase access of such  
18                           individuals to programs and benefits under this  
19                           title.

20                           “(B) The area agency will, to the max-  
21                           imum extent practicable, coordinate the services  
22                           it provides under this title with services pro-  
23                           vided under title VI.”;

24           (14) by striking paragraph (12) (area option  
25          concerning volunteer services coordinator);

1           (15) by striking paragraphs (13) through (16)  
2           (description of and assurances concerning activities  
3           of area agency);

4           (16) by striking paragraph (17); and

5           (17) by striking paragraph (6)(H), and insert-  
6           ing after paragraph (11) the following new para-  
7           graph:

8           “(12) COORDINATION WITH PROGRAMS OF  
9           OTHER AGENCIES.—The plan shall provide that the  
10          area agency on aging will establish procedures for  
11          coordination with entities conducting other Federal  
12          or Federally assisted programs for older individuals  
13          at the local level, with particular emphasis on enti-  
14          ties conducting programs described in section 203(b)  
15          within the area.”.

16          (b) STATE WAIVERS.—Section 306(b) (42 U.S.C.  
17          3026(b)) is amended—

18               (1) by striking paragraph (2) (procedural re-  
19               quirements for State agency waivers to area agen-  
20               cies); and

21               (2) by striking “(1)” after “(b)”.

1 **SEC. 113. COORDINATION OF SERVICES FOR INDIVIDUALS**  
 2 **WITH DISABILITIES UNDER AREA PLANS.**

3 Section 306(a) (42 U.S.C. 3026(a)) (as amended by  
 4 section 112 of this Act) is further amended by inserting  
 5 after paragraph (4) the following new paragraph:

6 “(5) COORDINATION OF SERVICES FOR INDIVID-  
 7 UALS WITH DISABILITIES.—The plan shall provide  
 8 assurances that the area agency on aging will coordi-  
 9 nate planning, identification, assessment of needs,  
 10 and services for older individuals with disabilities,  
 11 with particular attention to individuals with severe  
 12 disabilities, with agencies that develop or provide  
 13 services for individuals with disabilities.”.

14 **SEC. 114. ELIGIBILITY OF OLDER INDIANS FOR SERVICES**  
 15 **UNDER AREA PLANS.**

16 (a) UNDER AREA PLANS.—Section 306(a)(11) (42  
 17 U.S.C. 3026(a)(11)) (as added by section 112) is amended  
 18 by adding at the end the following new subparagraph:

19 “(C) Notwithstanding any provision of this  
 20 Act restricting eligibility for services to individ-  
 21 uals aged 60 or older, the area agency will  
 22 make services under the area plan available, to  
 23 the same extent as such services are available  
 24 to older individuals within the service area, to  
 25 older Indians eligible for services under an ap-  
 26 proved plan under title VI.”.

1 (b) UNDER GRANTS FOR INDIANS.—Sections 602,  
 2 611, 613, and 614 (42 U.S.C. 3057a, 3057b, 3057d, and  
 3 3057e, respectively) are each amended by striking “indi-  
 4 viduals who are” each place it appears.

5 **SEC. 115. REORGANIZATION AND STREAMLINING OF STATE**  
 6 **PLAN REQUIREMENTS.**

7 Section 307(a) (42 U.S.C. 3027(a)) is amended—

8 (1) by striking paragraphs (1) and (2) and in-  
 9 serting the following:

10 “(1) AREA PLANS.—The plan shall—

11 “(A) require each area agency designated  
 12 under section 305(a)(2)(A) to develop and sub-  
 13 mit to the State agency for approval, in accord-  
 14 ance with a uniform format developed by the  
 15 State agency, an area plan meeting the require-  
 16 ments of section 306; and

17 “(B) be based on such area plans.”;

18 (2) by striking paragraphs (3)(A) (evaluation of  
 19 need for services), (9) (information and assistance  
 20 services), and (22) (funding shares for priority serv-  
 21 ices), and amending paragraph (2) to read as fol-  
 22 lows:

23 “(2) DETERMINATION OF SERVICE NEEDS.—

24 The plan shall provide that the State agency will—

1           “(A) evaluate, using uniform procedures  
 2           under section 202(a)(29), the need for sup-  
 3           portive services (including legal assistance, in-  
 4           formation and assistance, and transportation  
 5           services), nutrition services, and multipurpose  
 6           senior centers within the State;

7           “(B) determine the extent to which exist-  
 8           ing public or private programs and resources  
 9           (including volunteers and programs and services  
 10          of voluntary organizations) meet such need; and

11          “(C) specify a minimum percentage of the  
 12          funds received by each area agency for part B  
 13          to be expended (unless waived by the State  
 14          agency under section 306(b)) (42 U.S.C.  
 15          3026(b)) by such area agency to provide each  
 16          of the categories of services specified in section  
 17          306(a)(2).”;

18          (3) by striking paragraphs (3)(B) (maintaining  
 19          rural funding), (29) and (37) (rural services and  
 20          costs thereof), and (33) (intra-State funding for-  
 21          mula), and adding after paragraph (2) the following  
 22          new paragraph:

23               “(3) INTRA-STATE FUNDING REQUIREMENTS.—  
 24          The plan shall—

1           “(A) include (and may not be approved un-  
 2           less the Assistant Secretary approves) the state-  
 3           ment and demonstration required by para-  
 4           graphs (2) and (4) of section 305(d) (con-  
 5           cerning intra-State distribution of funds); and

6           “(B) with respect to services to older indi-  
 7           viduals residing in rural areas—

8                   “(i) provide assurances that the State  
 9                   agency will spend for each fiscal year,  
 10                  under this title and titles V and VII, not  
 11                  less than 105 percent of the amount so ex-  
 12                  pended for fiscal year 1978;

13                  “(ii) identify, for each fiscal year  
 14                  under the plan, the projected costs of pro-  
 15                  viding such services (including the cost of  
 16                  providing access to such services); and

17                  “(iii) describe the methods used to  
 18                  meet the needs for the such services in the  
 19                  fiscal year preceding the first year to  
 20                  which such plan applies.”;

21           (4) by striking paragraph (4) (methods of ad-  
 22           ministration, personnel standards);

23           (5) by striking paragraph (8) (evaluations and  
 24           hearings) and inserting after paragraph (3) the fol-  
 25           lowing paragraph:

1           “(4) EVALUATIONS.—The plan shall provide  
 2           that the State agency will conduct periodic evalua-  
 3           tions of, and public hearings on, activities and  
 4           projects carried out in the State under this title and  
 5           title VII, including evaluations of the effectiveness of  
 6           outreach and provision of services to individuals with  
 7           greatest economic need, greatest social need, or dis-  
 8           abilities, with particular attention to low-income mi-  
 9           nority individuals.”;

10           (6) by striking paragraph (43) (grievance pro-  
 11           cedures) and amending paragraph (5) (hearing for  
 12           area agencies and providers) to read as follows:

13           “(5) HEARINGS FOR AREA AGENCIES AND PRO-  
 14           VIDERS; GRIEVANCE PROCEDURES.—The plan shall  
 15           provide that the State agency will—

16           “(A) afford an opportunity for a hearing  
 17           upon request, in accordance with published pro-  
 18           cedures, to any area agency submitting a plan  
 19           under this title, or to any provider of (or appli-  
 20           cant to provide) services under such a plan; and

21           “(B) issue guidelines applicable to griev-  
 22           ance procedures required by section  
 23           306(a)(10).”;

24           (7) in paragraph (6), by inserting “RE-  
 25           PORTS.—” after “(6)”;

1 (8) in paragraph (7)—

2 (A) by inserting “FISCAL CONTROLS.—”  
3 after “(7)”; and

4 (B) by striking subparagraph (C);

5 (9) by redesignating paragraph (10) as para-  
6 graph (8) and amending such paragraph by insert-  
7 ing “RESTRICTION ON DIRECT PROVISION OF SERV-  
8 ICES.—” after “(8)”;

9 (10) by striking paragraph (11) (hiring pref-  
10 erence for older individuals and individuals trained  
11 in field of aging);

12 (11)(A) by redesignating paragraph (12) as  
13 paragraph (9), and amending such paragraph—

14 (i) by inserting “LONG-TERM CARE OM-  
15 BUDSMAN PROGRAM.—” after “(9)”; and

16 (ii) by adding before the period “, and will  
17 expend for such purpose not less than the total  
18 amount so expended by the State agency in fis-  
19 cal year 1991”; and

20 (B) by striking paragraph (21);

21 (12) by redesignating paragraph (13) as para-  
22 graph (10), and amending such paragraph—

23 (A) by inserting “NUTRITION SERV-  
24 ICES.—” after “(10)”;

1 (B) by striking subparagraphs (B) (pri-  
 2 mary consideration to congregate meals), (D)  
 3 (accessibility of congregate meal site), (E) (out-  
 4 reach), (H) (grandfathered providers of home-  
 5 delivered meals), and (M) (nonfinancial eligi-  
 6 bility criteria); and

7 (C)(i) by inserting “and” at the end of  
 8 subparagraph (K);

9 (ii) by striking “; and” at the end of sub-  
 10 paragraph (L) and inserting a period; and

11 (iii) by redesignating subparagraph (C)  
 12 and the remaining subparagraphs as subpara-  
 13 graphs (B) through (H);

14 (13) by striking paragraph (14) (restrictions on  
 15 use of funds under the Act for acquisition, alter-  
 16 ation, or construction of facilities);

17 (14)(A) by redesignating paragraph (15) as  
 18 paragraph (12), and amending such paragraph—

19 (i) by inserting “LEGAL ASSISTANCE.—”  
 20 after “(12)”; and

21 (ii)(I) by striking “and” at the end of sub-  
 22 paragraph (D); and

23 (II) by striking the period at the end of  
 24 subparagraph (E) and inserting “; and”; and

1 (B)(i) by amending paragraph (18) by striking  
2 all that precedes “assign personnel” and inserting  
3 “the State will”; and

4 (ii) by relocating and redesignating such para-  
5 graph (18) as paragraph (12)(F);

6 (15) by redesignating paragraph (16) as para-  
7 graph (13), and amending such paragraph by insert-  
8 ing “PREVENTION OF ABUSE.—” after “(13)”;

9 (16) by striking paragraph (17) (in-service per-  
10 sonnel training);

11 (17) by striking paragraph (19) (guarantees  
12 that area agencies may give grants or contracts to  
13 providers of education and training services);

14 (18) by redesignating paragraph (20) as para-  
15 graph (14), and amending such paragraph by insert-  
16 ing “OLDER INDIVIDUALS OF LIMITED ENGLISH-  
17 SPEAKING ABILITY.—”;

18 (19) by redesignating paragraph (23) as para-  
19 graph (15), and amending such paragraph by insert-  
20 ing “SPECIAL NEEDS POPULATIONS.—” after  
21 “(15)”;

22 (20) by redesignating paragraph (24) as para-  
23 graph (16), and amending such paragraph by insert-  
24 ing “OUTREACH.—” after “(16)”;

1           (21) by redesignating paragraph (25) as para-  
2           graph (17), and amending such paragraph by insert-  
3           ing “OLDER INDIVIDUALS WITH SEVERE DISABIL-  
4           ITIES.—” after “(17)”;

5           (22) by redesignating paragraph (26) as para-  
6           graph (18), and amending such paragraph—

7                 (A) by inserting “COMMUNITY-BASED  
8                 SERVICES.—(A) LONG-TERM CARE SERV-  
9                 ICES.—” after “(18)”;

10                (B) by striking “section 306(a)(6)(I)” and  
11                inserting “section 306(a)(6)(D)”;

12           (23) by relocating and redesignating paragraph  
13           (44) as paragraph (18)(B);

14           (24) by striking paragraph (27) (assurances  
15           concerning part D in-home services program);

16           (25) by striking paragraph (28) (assurances  
17           concerning part E special needs program);

18           (26) by redesignating paragraph (30) as para-  
19           graph (19), and amending such paragraph by insert-  
20           ing “TITLE VII PROGRAM.—” after “(19)”;

21           (27) by striking paragraph (31) (State volun-  
22           teer services coordinator);

23           (28) by redesignating paragraph (32) as para-  
24           graph (20), and amending such paragraph by insert-

1       ing “TECHNICAL ASSISTANCE TO PROVIDERS.—”  
2       after “(20)”;

3           (29)(A) by redesignating paragraph (34) as  
4       paragraph (21), and amending such paragraph by  
5       inserting “OLDER NATIVE AMERICANS.—(A)” after  
6       “(21)”;

7           (B) by redesignating subparagraph (A) and (B)  
8       of paragraph (35) as clauses (i) and (ii), and redesi-  
9       gnating and relocating such paragraph (35) as sub-  
10      paragraph (B) of paragraph (21);

11          (30) by redesignating paragraph (36) as para-  
12      graph (22), and amending such paragraph by insert-  
13      ing “CASE MANAGEMENT PROVIDERS.—” after  
14      “(22)”;

15          (31) by striking paragraphs (38) and (39) (as-  
16      surances concerning use of funds);

17          (32) by striking paragraph (40) (assurances  
18      concerning part G program for inhome caretakers);

19          (33) by striking paragraph (41) (efforts to co-  
20      ordinate services and provide multigenerational ac-  
21      tivities); and

22          (34) by striking paragraph (42) (coordination  
23      of transportation services);

1 **SEC. 116. HEALTH CARE INFORMATION SYSTEMS.**

2 Section 307(a) (42 U.S.C. 3027(a)) (as previously  
3 amended) is amended by inserting after paragraph (10)  
4 the following new paragraph:

5 “(11) HEALTH CARE INFORMATION, COUN-  
6 SELING, ADVOCACY, AND COORDINATION.—

7 “(A) ASSURANCE.—The plan shall contain  
8 an assurance that the State agency will make  
9 demonstrable efforts—

10 “(i) to develop, arrange for, and oper-  
11 ate a system providing any one or more of  
12 the services specified in subparagraph (B);  
13 or

14 “(ii) to coordinate the provision, by  
15 another entity or entities within the State,  
16 of any one or more of such services.

17 “(B) SERVICES.—The services which may  
18 be provided for under subparagraph (A)  
19 include—

20 “(i) health care information services  
21 to assist older individuals to make in-  
22 formed health care choices;

23 “(ii) counseling of older individuals in  
24 the selection of public and private health  
25 care benefits, policies, and options;

“(iii) a health care ombudsman program to provide health care advocacy and assist vulnerable older individuals with health care choices and appeals; and

“(iv) assistance to providers of nutrition and supportive services and providers of acute and chronic health care with respect to identifying and meeting health care needs of older individuals.”.

**SEC. 117. STATE OPTION FOR COST SHARING.**

(a) STATE PLAN REQUIREMENT.—Section 307(a) (42 U.S.C. 3027(a)) (as previously amended) is amended by adding at the end the following new paragraph:

“(23) STATE OPTION FOR COST SHARING.—If the State elects to require cost sharing by recipients of services under the State plan (or to require or permit area agencies on aging to require cost sharing by recipients of services under area plans), the plan shall—

“(A) provide that no cost sharing shall be required for—

“(i) information and assistance, outreach, or case management services;

“(ii) ombudsman or other protective services; or

1 “(iii) congregate or home-delivered  
2 nutrition services; and

3 “(B)(i) exempt from cost-sharing require-  
4 ments individuals who declare that they have  
5 incomes below a low-income threshold set by the  
6 State, and

7 “(ii) set cost-sharing rates for individuals  
8 with incomes above such threshold on a sliding-  
9 fee scale based on income.”.

10 (b) AREA PLAN REQUIREMENT.—Section 306(a) (42  
11 U.S.C. 3026(a)) (as previously amended) is amended by  
12 adding at the end the following new paragraph:

13 “(12) provide assurances that any requirements  
14 for cost-sharing by recipients of services under the  
15 plan will be consistent with the provisions of the  
16 State plan under section 307(a)(23).”.

17 **SEC. 118. STATE OPTION CONCERNING CONSUMER-DI-**  
18 **RECTED SERVICES.**

19 (a) STATE PLAN AMENDMENT.—Section 307(a) (42  
20 U.S.C. 3027(a)) (as previously amended by this Act) is  
21 further amended by adding at the end the following new  
22 paragraph:

23 “(24) STATE OPTION CONCERNING CONSUMER-  
24 DIRECTED SERVICES.—The plan shall specify—

1           “(A) whether (and if so, with respect to  
2           which supportive or nutrition services) the State  
3           elects to permit area agencies on aging—

4                   “(i) to provide services to older indi-  
5                   viduals through direct contracts with the  
6                   individuals delivering such services; or

7                   “(ii) to provide vouchers or cash to  
8                   older individuals to permit such older indi-  
9                   viduals to contract with individuals or enti-  
10                  ties for the delivery of such services (and,  
11                  if so, any requirements for the setting of  
12                  payment rates or amounts);

13           “(B) the qualifications and other require-  
14           ments that must be met by individuals and enti-  
15           ties providing services under such arrange-  
16           ments; and

17           “(C) whether (and, if so, the conditions  
18           under which) services may be provided to an  
19           older individual by a family member under such  
20           an arrangement;

21           “(D) how the State will monitor activities  
22           described in subparagraph (A)(ii) to ensure that  
23           vouchers or cash are used for the purposes for  
24           which they are provided; and

1           “(E) that the State agency will implement  
 2           procedures necessary to ensure appropriate  
 3           withholding and crediting of taxes and other  
 4           amounts from payments to individuals and enti-  
 5           ties providing consumer-directed services, in  
 6           compliance with applicable Federal and State  
 7           laws.”.

8           (b) CONFORMING AMENDMENT.—Section 210(b) (42  
 9   U.S.C. 302a(b)) is amended by inserting “(including any  
 10 cash or voucher provided in accordance with section  
 11 307(a)(24)(A)(ii)” before “may be treated as income or  
 12 benefits”.

13 **SEC. 119. STATE-AREA AGENCY SERVICE INNOVATION DE-**  
 14 **VELOPMENT PROJECTS.**

15           (a) PROJECTS AUTHORIZED.—Section 307 (42  
 16 U.S.C. 3027) is amended—

17           (1) in subsection (a), as previously amended by  
 18           this Act, by adding at the end the following new  
 19           paragraph:

20           “(25) STATE OPTION FOR SERVICE INNOVATION  
 21           DEVELOPMENT PROJECTS.—The plan shall state  
 22           whether the State elects to operate a program under  
 23           subsection (g), and if so shall provide the informa-  
 24           tion required by subsection (g)(2).”.

1       “(g)     SERVICE     INNOVATION     DEVELOPMENT  
2 PROJECTS.—

3               “(1) PROJECTS AUTHORIZED.—A State agency  
4       may elect to implement a project or projects, in col-  
5       laboration with one or more area agencies, to de-  
6       velop, test, and implement innovative, cost-effective  
7       methods of delivering to older individuals and their  
8       families services that may be provided with funds  
9       under this Act.

10              “(2) STATE PLAN REQUIREMENT.—The State  
11     plan shall specify—

12                      “(A) the service innovations to be devel-  
13     oped and tested;

14                      “(B) the area agencies that will partici-  
15     pate;

16                      “(C) the period during which the project  
17     will be implemented;

18                      “(D) the methodology to be used to evalu-  
19     ate the results of the demonstration;

20                      “(E) the amount of funds to be used; and

21                      “(F) such other information as the Assist-  
22     ant Secretary may require.

23              “(3) AVAILABILITY OF FUNDS.—

24                      “(A) IN GENERAL.—The State agency may  
25     reserve, from the total amount appropriated for

a fiscal year under subsections (a) and (b) of section 303 and allotted to the State under section 304, up to the greater of 4 percent of such total amount or

“(i) \$300,000, in the case of each of the fifty States, the District of Columbia, and the Commonwealth of Puerto Rico; and

“(ii) \$50,000, in the case of Guam, the United States Virgin Islands, American Samoa, and the Commonwealth of the Northern Mariana Islands.

“(B) RESTRICTION.—Amounts available under this subsection shall be used only for costs of delivering services, and may not be used for related administrative costs.”.

**SEC. 120. TRANSFER OF FUNDS BETWEEN PROGRAMS.**

(a) STREAMLINING OF GENERAL RULES.—Section 308(b) (42 U.S.C. 3028(b)) is amended—

(1) in paragraph (4)—

(A) by striking “(A)” after “(4)”; and

(B) by striking subparagraph (B) (Assistant Secretary’s discretion to permit State to transfer additional amounts between congregate and home-delivered meal programs); and

1           (2) in paragraph (5) (authority to transfer  
2       funds between nutrition and services programs), to  
3       read as follows:

4       “(5) Of the funds received by a State for a fiscal year  
5       from funds appropriated under subsections (a)(1), and (b)  
6       (1) and (2), of section 303, the State may elect to transfer  
7       not more than 20 percent between programs under part  
8       B and part C, for use as the State considers appropriate.”.

9       (b) WAIVER AUTHORITY.—For the Assistant Sec-  
10      retary’s authority to waive limitations on amounts trans-  
11      ferable between programs, see section 123 of this Act,  
12      adding a new section 314.

13      **SEC. 121. AVAILABILITY OF DISASTER RELIEF FUNDS TO**  
14                                   **TRIBAL ORGANIZATIONS.**

15      Section 310 (42 U.S.C. 3030) is amended—

16           (1) in subsection (a)(1)—

17                   (A) by inserting “(or to any tribal organi-  
18                   zation receiving a grant under title VI)” after  
19                   “any State”; and

20                   (B) by inserting “(or used by such tribal  
21                   organization)” before “for the delivery of sup-  
22                   portive services”;

23           (2) in subsection (a)(2), by inserting “and trib-  
24      al organizations” after “States”; and

1           (3) in subsection (a)(3), by inserting “or tribal  
2           organization” after “State” each place it appears;  
3           and

4           (4) in subsections (b)(1) and (c), by inserting  
5           “and tribal organizations” after “States”.

6 **SEC. 122. NUTRITION SERVICES INCENTIVE PROGRAM.**

7           (a) ADJUSTMENT OF ALLOTMENT FORMULA.—Sec-  
8           tion 311 (42 U.S.C. 3030a) is amended—

9           (1) in the caption, to read: “NUTRITION SERV-  
10           ICES INCENTIVE PROGRAM”;

11           (2) by relocating and redesignating subsection  
12           (a)(4)(B) as subsection (b)(4);

13           (3) by striking the balance of subsection (a)(4);

14           (4) by redesignating subsections (a), (b), (c),  
15           and (d) as subsections (c), (d), (e), and (f), respec-  
16           tively;

17           (5) by inserting after the caption the following  
18           new subsections:

19           “(a) PURPOSE.—The purpose of the program under  
20           this section is to enable the Secretary of Agriculture to  
21           provide incentives to encourage and reward effective per-  
22           formance by States and tribal organizations in the effi-  
23           cient delivery of nutritious meals to older Americans.

24           “(b) NUTRITION SERVICES INCENTIVE PAYMENTS.—

1           “(1) IN GENERAL.—The Secretary shall allot  
2           any pay, to each State agency with a plan approved  
3           under this title for a fiscal year, and to each tribal  
4           organization with an application approved under title  
5           VI for such fiscal year, an amount bearing the same  
6           ratio to the total amount appropriated for such fis-  
7           cal year under subsection (e) as the number of meals  
8           served in the State, under such plan approved for  
9           the preceding fiscal year (or the number of meals  
10          served by the tribal organization, under such appli-  
11          cation approved for such preceding fiscal year),  
12          bears to the total number of such meals served in  
13          all States and by all tribal organizations under all  
14          such plans and applications approved for such pre-  
15          ceding fiscal year.

16          “(2) CALCULATION OF ALLOTMENT FOR CER-  
17          TAIN TRIBAL ORGANIZATIONS.—For purposes of  
18          paragraph (1), in the case of a tribal organization  
19          that has a plan approved under title VI for a fiscal  
20          year but that did not receive assistance under this  
21          section for the preceding fiscal year, the number of  
22          meals served by the tribal organization in the pre-  
23          ceding fiscal year shall be deemed to equal the num-  
24          ber of meals that the Assistant Secretary estimates

1 will be served by the tribal organization in the cur-  
 2 rent fiscal year.”; and

3 (6) in subsection (e), as redesignated, to read  
 4 as follows:

5 “(e) AUTHORIZATION OF APPROPRIATIONS.—For  
 6 carrying out the purposes of this section (other than sub-  
 7 section (c)(1)), there are authorized to be appropriated  
 8 \$150,000,000 for fiscal year 2000 and such sums as may  
 9 be necessary for each of the four succeeding fiscal years.”.

10 (b) ELIMINATION OF MAINTENANCE OF EFFORT.—  
 11 Section 339A is repealed.

12 **SEC. 123. WAIVERS OF CERTAIN REQUIREMENTS FOR**  
 13 **STATE PROGRAMS.**

14 (a) GENERAL WAIVER AUTHORITY.—Part A of title  
 15 III (42 U.S.C. 3021 et seq.) is amended by adding at the  
 16 end the following new section:

17 **“SEC. 315. WAIVERS.**

18 “(a) IN GENERAL.—The Assistant Secretary may  
 19 waive any of the provisions enumerated in subsection (b)  
 20 with respect to a State, upon application by the State  
 21 agency containing or accompanied by documentation suffi-  
 22 cient to establish, to the satisfaction of the Assistant Sec-  
 23 retary, that—

24 “(1) approval of the States legislature has been  
 25 obtained or is not required;

1           “(2) the State agency has consulted with area  
2 agencies on aging with respect to the proposal for  
3 which waiver is sought;

4           “(3) such proposal has been made available for  
5 public review and comment within the State (and a  
6 summary of comments received shall be included  
7 with the application); and

8           “(4) the State agency has given adequate con-  
9 sideration to the probable positive and negative con-  
10 sequences of approval of the waiver application, and  
11 the probable benefits for older individuals can rea-  
12 sonably be expected to outweigh any negative con-  
13 sequences, or particular circumstances in the States  
14 otherwise justify the waiver.

15       “(b) REQUIREMENTS SUBJECT TO WAIVER.—The  
16 provisions of this title that may be waived under this sec-  
17 tion are—

18           “(1) any provisions of section 305, 306, 307 re-  
19 quiring statewide uniformity of programs under this  
20 title, to the extent necessary to permit demonstra-  
21 tions, in limited areas of a State, of innovative ap-  
22 proaches to assist older individuals;

23           “(2) any area plan requirement under section  
24 306(a);

1           “(3) any State plan requirement under section  
2       307(a);

3           “(4) any restriction, under section 308(b) (4)  
4       or (5), on the amount that may be transferred be-  
5       tween programs under part B and part C, or be-  
6       tween programs under subpart 1 and subpart 2 of  
7       part C; and

8           “(5) all or any part of the reduction in allot-  
9       ment required under section 309(c) with respect to  
10      a State which reduces expenditures under its State  
11      plan (but only to the extent that the non-Federal  
12      share of expenditures is not reduced below any min-  
13      imum specified in section 304(d) or any other provi-  
14      sion of this title).

15      “(c) DURATION OF WAIVER.—The application by a  
16      State agency for a waiver under this section shall include  
17      a recommendation as to the duration of the waiver (not  
18      to exceed the duration of the State plan). The Assistant  
19      Secretary, in granting any waiver, shall specify the dura-  
20      tion of the waiver, which may be the duration rec-  
21      ommended by the State agency or such shorter time period  
22      as the Assistant Secretary finds appropriate.

23      “(d) REPORTS TO SECRETARY.—The State agency  
24      shall make to the Assistant Secretary, with respect to each  
25      waiver granted under this section, not later than one year

1 after the expiration of such waiver, and at any times dur-  
 2 ing the waiver period that the Assistant Secretary may  
 3 require, concerning the impact of the waiver on the oper-  
 4 ation and effectiveness of programs and services under  
 5 this title in the State.”.

6 (b) CONFORMING AMENDMENTS.—

7 (1) Section 207(a) (42 U.S.C. 3018(a)) is  
 8 amended—

9 (A) by striking paragraph (3); and

10 (B) by redesignating paragraphs (4) and  
 11 (5) as paragraphs (3) and (4), respectively.

12 (2) Section 307(b) (42 U.S.C. 3027(b)) is  
 13 amended—

14 (A) by striking paragraph (2) (waiver of  
 15 maintenance of effort for rural areas); and

16 (B) by striking “(1)” after “(b)”.

17 **SEC. 124. CONSOLIDATION AND REVISION OF AUTHORITIES**  
 18 **FOR SUPPORTIVE SERVICES AND SENIOR**  
 19 **CENTERS.**

20 (a) ASSISTANCE IN OBTAINING HOUSING.—Section  
 21 321(a)(4) (42 U.S.C. 3030d(a)(4)) is amended by striking  
 22 “or (D)” and all that follows and inserting “or (D) to  
 23 assist older individuals to obtain housing assisted under  
 24 programs of the Department of Housing and Urban De-  
 25 velopment;”.

1 (b) COMMUNITY-BASED CARE AND SERVICES.—Sec-  
 2 tion 321(a)(5) (42 U.S.C. 3030d(a)(5)) is amended by  
 3 striking “including” and all that follows and inserting  
 4 “including—

5 “(A) client assessment, case management,  
 6 and development and coordination of commu-  
 7 nity services;

8 “(B) in-home services for frail older indi-  
 9 viduals (including supportive services for vic-  
 10 tims of Alzheimer’s disease and related dis-  
 11 orders with neurological and organic brain dys-  
 12 function, and for the families of such individ-  
 13 uals);

14 “(C) supportive activities to meet the spe-  
 15 cial needs of caregivers, including caretakers  
 16 who provide in-home services to frail older indi-  
 17 viduals;

18 “(D) in-home and other community serv-  
 19 ices, including home health, homemaker, shop-  
 20 ping, escort, reader, and letter writing services,  
 21 to assist older individuals to live independently  
 22 in a home environment;”.

23 (c) EMPLOYMENT-RELATED PROGRAMS.—Section  
 24 321(a)(12) (42 U.S.C. 3030d(a)(12)) is amended by add-  
 25 ing before the semicolon”, including coordination with pro-

1 grams administered or assisted by the Department of  
2 Labor”.

3 (d) GENERAL AUTHORITY.—Section 321(a)(22) (42  
4 U.S.C. 3030d(a)(22)) is amended by inserting “necessary  
5 for the general welfare of older individuals” after “any  
6 other services”.

7 (e) RELOCATION OF DEFINITIONS.—

8 (1) Section 342 (42 U.S.C. 3030i) (definition of  
9 “in-home services”) is relocated and redesigned as  
10 paragraph (46) of section 102 (42 U.S.C. 3002),  
11 and is amended by striking “For purposes of this  
12 part, the term” and inserting “The term”.

13 (2) Section 363 (42 U.S.C. 3030o) (definition  
14 of “disease prevention and health promotion serv-  
15 ices”) is relocated and redesignated as paragraph  
16 (47) of section 102, and is amended by striking  
17 “For purposes of this part, the term” and inserting  
18 “The term”.

19 (f) REPEAL OF SUPERSEDED AUTHORITIES.—

20 (1) SUBSTANTIVE AUTHORITY.—Part (D) (In-  
21 Home Services for Frail Older Individuals), part E  
22 (Additional Assistance for Special Needs of Older  
23 Individuals), and part G (Supportive Activities for  
24 Caretakers Who Provide In-Home Services to Frail  
25 Order Individuals) (42 U.S.C. 3030h, et seq., 3030l,

1 et seq., and 3030p, et seq., respectively) are re-  
 2 pealed.

3 (2) AUTHORIZATION OF APPROPRIATIONS.—(A)  
 4 REPEALS; REDESIGNATION.—Section 303 (42  
 5 U.S.C. 3022) is amended by striking subsections  
 6 (d), (e), and (g), and by redesignating subsections  
 7 (f) and (h) as subsections (e) and (f), respectively.

8 (B) CONFORMING AMENDMENT.—Sections  
 9 202(a)(24) (42 U.S.C. 3012(a)(24)) and 304(b)(2)  
 10 (42 U.S.C. 3024(b)(2)) are each amended by strik-  
 11 ing “303(h)” and inserting “303(f)”.

12 **SEC. 125. CONSOLIDATION OF AUTHORITIES FOR NUTRI-**  
 13 **TION SERVICES.**

14 (a) SCHOOL-BASED MEALS AS CONGREGATE NUTRI-  
 15 TION SERVICES.—

16 (1) Section 331 (42 U.S.C. 3030e) is amended  
 17 by inserting “(a) IN GENERAL.—” after “331.”.

18 (2) Section 338(a) (42 U.S.C. 3030g–11(a)) is  
 19 relocated and redesignated as subsection (b) of sec-  
 20 tion 331, and is amended, in the matter preceding  
 21 paragraph (1), by striking all that precedes  
 22 “projects” and inserting instead the following:

23 “(b) SCHOOL-BASED MEALS AND MULTI-  
 24 GENERATIONAL PROGRAMS.—The State may include, in  
 25 programs under this section,”.

1 (b) REPEAL OF SUPERSEDED AUTHORITY.—

2 (1) SUBSTANTIVE AUTHORITY.—Part C of title  
3 III (42 U.S.C. 3030e et seq.) is amended by striking  
4 subpart 3 and redesignating subpart 4 as subpart 3.

5 (2) AUTHORIZATION OF APPROPRIATIONS.—  
6 Section 303(b)(3) (42 U.S.C. 3023(b)(2)) is re-  
7 pealed.

8 **SEC. 126. NATIONAL FAMILY CAREGIVER SUPPORT PRO-**  
9 **GRAM.**

10 (a) ESTABLISHMENT OF PROGRAM.—Part D of title  
11 III (42 U.S.C. 3030h et seq.) is amended to read as fol-  
12 lows:

13 **“PART D—NATIONAL FAMILY CAREGIVER**  
14 **SUPPORT PROGRAM**

15 **“Subpart 1—State Grant Program**

16 **“SEC. 341. PROGRAM AUTHORIZED.**

17 “(a) IN GENERAL.—The Assistant Secretary shall  
18 carry out a program under this subpart for making grants  
19 to States under State plans approved under section 307  
20 for multi-faceted systems of support for families and other  
21 informal providers of in-home and community care to  
22 older individuals.

23 “(b) COORDINATION WITH SERVICE PROVIDERS.—  
24 In carrying out the provisions of this supart, each area  
25 agency on aging shall coordinate with other community

1 agencies and voluntary organizations providing the types  
2 of services for which funding is available under this sub-  
3 part.

4 “(c) FAMILY CAREGIVER SUPPORT SERVICES.—The  
5 services provided in a State program under this subpart  
6 shall include—

7 “(1) provision of information to caregivers  
8 about available services;

9 “(2) assistance to caregivers in gaining access  
10 to such services;

11 “(3) individual counseling, organization of sup-  
12 port groups, and provision of caregiver training to  
13 help families make decisions and solve problems re-  
14 lating to their caregiving roles;

15 “(4) respite care to enable families and other  
16 informal caregivers to be temporarily relieved from  
17 their caregiving responsibilities; and

18 “(5) provision of supplemental services, on a  
19 limited basis, to complement the care provided by  
20 families and other informal caregivers.

21 “(d) ELIGIBILITY.—In order for the caregiver or  
22 caregivers of an older individual to be eligible to receive  
23 services provided by a State program under this subpart,  
24 the State must—

1           “(1) determine that the older individual meets  
2           the condition specified in either subparagraph (A)(i)  
3           or (B) of section 102(28); and

4           “(2) give priority for services to older individ-  
5           uals and families with the greatest social and eco-  
6           nomic need, consistent with the requirements of sec-  
7           tion 305(a)(2)(E).

8           “(e) QUALITY STANDARDS AND ACCOUNTABILITY.—

9           “(1) The State shall have in place mechanisms  
10          designed to assure the quality of services provided  
11          with assistance under this subpart.

12          “(2) The State shall collect data and furnish  
13          records at the times and in the standardized format  
14          that the Assistant Secretary may require in order to  
15          enable the Assistant Secretary to monitor State pro-  
16          gram administration and compliance, and to evalu-  
17          ate and compare the effectiveness of State programs  
18          under this subpart.

19          “(3) The State shall report to the Assistant  
20          Secretary on the data and information required  
21          under section 341(e)(2), including the services and  
22          activities funded under this subpart, and standards  
23          and methods by which the quality of services shall  
24          be assured.

25          “(f) STATE OPTION FOR COST SHARING.—

1           “(1) IN GENERAL.—A State may elect to re-  
 2           quire cost sharing under this subpart for services de-  
 3           scribed in paragraphs (4) and (5) of subsection (a)  
 4           (or to require or permit area agencies on aging to  
 5           require cost sharing by recipients of such services  
 6           under area plans), but—

7                   “(A) individuals with incomes below the  
 8           Federal poverty line shall be exempt from cost-  
 9           sharing requirements; and

10                   “(B) cost-sharing rates for individuals with  
 11           incomes above such threshold shall be set on a  
 12           sliding-fee scale based on income.

13           “(2) ASSISTANT SECRETARY APPROVAL.—Fee  
 14           scales imposed under this subsection are subject to  
 15           approval by the Assistant Secretary.

16           “(3) REPORTING REQUIRED IF FEE SCHEDULE  
 17           NOT USED.—A State electing not to require or per-  
 18           mit fees pursuant to this subsection shall report to  
 19           the Assistant Secretary on the alternative methods  
 20           used by the State to satisfy the requirement of sec-  
 21           tion 305(a)(2)(E) to give priority to individuals with  
 22           greatest economic and social need.

23           “(g) AVAILABILITY OF FUNDS.—

24                   “(1) IN GENERAL.—The program under this  
 25           subpart shall be carried out with the balance of

1 funds appropriated under section 303(d) remaining  
 2 after reservation of funds under sections 345 and  
 3 346 for carrying out subpart 2.

4 “(2) USE OF FUNDS FOR ADMINISTRATION OF  
 5 AREA PLANS.—Amounts made available to a State  
 6 under this subpart may be used, in addition to  
 7 amounts available in accordance with section  
 8 303(c)(1), for costs of administration of area plans.

9 “(3) FEDERAL SHARE.—

10 “(A) Notwithstanding section  
 11 304(d)(1)(D), amounts made available to a  
 12 State under this subpart shall be available to  
 13 pay not more than 75 percent of the costs of  
 14 services provided under this subpart.

15 “(B) Federal funds and cost sharing by re-  
 16 cipients of services provided under this subpart  
 17 cannot be used for the non-Federal share of  
 18 funds under this subpart.

19 **“SEC. 342. MAINTENANCE OF EFFORT.**

20 “Funds made available under this subpart shall be  
 21 in addition to, and may not be used to supplant, any funds  
 22 that are or would otherwise be expended under any Fed-  
 23 eral, State, or local law by a State or unit of general pur-  
 24 pose local government (including area agencies on aging)  
 25 which have in their planning and service areas existing

1 services equivalent to the services which may be funded  
 2 under this subpart.

3 **“Subpart 2—National Innovation Programs**

4 **“SEC. 345. INNOVATION GRANT PROGRAM.**

5 “(a) IN GENERAL.—The Assistant Secretary shall  
 6 carry out a program for making grants on a competitive  
 7 basis to foster the development and testing of new ap-  
 8 proaches to sustaining the efforts of families and other  
 9 informal caregivers of older individuals, and to serving  
 10 particular groups of caregivers of older individuals, includ-  
 11 ing minority caregivers and distant caregivers.

12 “(b) EVALUATION AND DISSEMINATION OF RE-  
 13 SULTS.—The Assistant Secretary shall provide for evalua-  
 14 tion of the effectiveness of programs and activities funded  
 15 with grants under this subpart, and for dissemination to  
 16 States of descriptions and evaluations of such programs  
 17 and activities, to enable States to incorporate successful  
 18 approaches into their programs under this part.

19 “(c) AVAILABILITY OF FUNDS.—

20 “(1) IN GENERAL.—The Assistant Secretary  
 21 shall reserve up to 10 percent of the amount appro-  
 22 priated under section 303(d) to carry out the pro-  
 23 gram under this section.

24 “(2) NATIVE AMERICAN PROGRAMS.—20 per-  
 25 cent of the amount reserved under paragraph (1)

1       shall be available for programs and activities for Na-  
2       tive Americans.

3   **“SEC. 346. ACTIVITIES OF NATIONAL SIGNIFICANCE.**

4       “(a) IN GENERAL.—The Assistant Secretary shall,  
5       directly or by grant or contract, carry out activities of na-  
6       tional significance to promote quality and continuous im-  
7       provement in the support provided to family and other in-  
8       formal caregivers of older individuals through program  
9       evaluation, training, technical assistance, and research.

10      “(b) AVAILABILITY OF FUNDS.—The Assistant Sec-  
11     retary shall reserve up to 2 percent of the amount appro-  
12     priated under section 303(d) to carry out the program  
13     under this section.”.

14      (b) AUTHORIZATION OF APPROPRIATIONS.—Section  
15     303 (as amended by section 124(d)(2) of this Act) is  
16     amended by adding after subsection (c) the following new  
17     subsection:

18      “(d) NATIONAL FAMILY CAREGIVER PROGRAM.—  
19     There are authorized to be appropriated \$125,000,000 for  
20     fiscal year 2000, and such sums as may be necessary for  
21     each of the four succeeding fiscal years, to carry out the  
22     programs under part D of this title (relating to the na-  
23     tional family caregiver program).”.

24      (c) ALLOTMENTS TO STATES.—Section 304(a)(1) is  
25     amended in the first sentence by inserting “remaining

1 after reservations of funds in accordance with sections 345  
 2 and 346” after “from the sums appropriated under sec-  
 3 tion 303 for each fiscal year”.

4 (d) AVAILABILITY OF TITLE III–D FUNDS FOR RE-  
 5 ALLOTMENT.—Section 304(b) is amended in the first sen-  
 6 tence by striking “part B or C” and inserting “part B,  
 7 C, or D”.

8 **SEC. 127. AUTHORIZATION OF APPROPRIATIONS.**

9 (a) SUPPORTIVE SERVICES AND SENIOR CENTERS.—  
 10 Section 303(a)(1) (42 U.S.C. 3023(a)(1)) is amended by  
 11 striking all that precedes “for the purposes” and inserting  
 12 “There are authorized to be appropriated \$310,082,000  
 13 for fiscal year 2000 and such sums as may be necessary  
 14 for each of the four succeeding fiscal years,”.

15 (b) CONGREGATE NUTRITION SERVICES.—Section  
 16 303(b)(1) is amended by striking all that precedes “for  
 17 the purpose” and inserting “There are authorized to be  
 18 appropriated \$374,412,000 for fiscal year 2000 and such  
 19 sums as may be necessary for each of the four succeeding  
 20 fiscal years,”.

21 (c) HOME-DELIVERED NUTRITION SERVICES.—Sec-  
 22 tion 303(b)(2) (42 U.S.C. 3023(b)(2)) is amended by  
 23 striking all that precedes “for the purpose” and inserting  
 24 “There are authorized to be appropriated \$147,000,000

1 for fiscal year 2000 and such sums as may be necessary  
 2 for each of the four succeeding fiscal years,”.

3 (d) PREVENTIVE HEALTH SERVICES.—Section  
 4 303(e) (as redesignated by section 124 of this Act) is  
 5 amended by striking all that precedes “for the purpose”  
 6 and inserting “There are authorized to be appropriated  
 7 \$16,123,000 for fiscal year 2000 and such sums as may  
 8 be necessary for each of the four succeeding fiscal years,”.

9 **PART C—STATE AND LOCAL INNOVATIONS AND**  
 10 **PROGRAMS OF NATIONAL SIGNIFICANCE**

11 **SEC. 141. REVISION OF TITLE IV.**

12 Title IV is amended—

13 (1) in the heading, to read as follows:

14 **“TITLE IV—STATE AND LOCAL**  
 15 **INNOVATIONS AND PRO-**  
 16 **GRAMS OF NATIONAL SIG-**  
 17 **NIFICANCE”;**

18 (2) in section 401, to read as follows:

19 **“SEC. 401. STATEMENT OF PURPOSE.**

20 “It is the purpose of this title to expand the Nation’s  
 21 knowledge and understanding of the older population and  
 22 the aging process; to design, test, and promote utilization  
 23 of innovative ideas and best practices in programs and  
 24 services for older individuals; to help meet the needs for  
 25 trained personnel in the field of aging; and to increase

1 the awareness of citizens of all ages of the need to assume  
 2 personal responsibility for their own longevity.”;

3 (3) by striking parts A and B in their entirety  
 4 and inserting the following new part:

5 **“PART A—PROGRAMS AND ACTIVITIES**

6 **AUTHORIZED**

7 **“SEC. 410. DISCRETIONARY PROJECTS AND PROGRAMS.**

8 “In order to accomplish the purpose of this title, the  
 9 Assistant Secretary may make grants to States, public or  
 10 nonprofit private agencies, organizations, and institutions,  
 11 and tribal organizations, and may enter into contracts  
 12 with any agency, organization, institution, or individual  
 13 for the following activities—

14 “(1) education and training to develop an ade-  
 15 quately trained workforce to work with and on be-  
 16 half of older individuals;

17 “(2) applied social research and analysis to im-  
 18 prove access and delivery of services for older indi-  
 19 viduals, as well as evaluation of the performance and  
 20 measurement of the results of programs, activities,  
 21 and services provided under this Act;

22 “(3) developments of methods and practices to  
 23 improve quality and effectiveness of such services;

1 “(4) demonstration of new approaches to de-  
 2 sign, deliver, and coordinate programs and services  
 3 for older individuals;

4 “(5) technical assistance in planning, develop-  
 5 ment, implementation, and improvement of services  
 6 and activities conducted under this Act;

7 “(6) dissemination of information related to  
 8 longevity and its ramifications for various segments  
 9 of the elderly population, life course planning, and  
 10 services and programs for older individuals that in-  
 11 corporates new ideas, utilizes advances in our knowl-  
 12 edge, and stimulates the adoption of innovative best  
 13 practices to benefit older individuals; and

14 “(7) other similar activities that, in the judg-  
 15 ment of the Assistant Secretary, will achieve the  
 16 purposes of this title.”;

17 (4) by redesignating part C as part B; and

18 (5) by redesignating sections 431, 432, and  
 19 433, respectively, (42 U.S.C. 3037, 3037a and  
 20 3037b, respectively) as sections 421, 422, and 423.

21 **SEC. 142. AUTHORIZATION OF APPROPRIATIONS.**

22 Section 421 (42 U.S.C. 3035) (as redesignated by  
 23 section 141 of this Act) is amended—

24 (1) in subsection (a), to read as follows:

25 “(a) AUTHORIZATIONS.—

1           “(1) IN GENERAL.—There are authorized to be  
 2           appropriated to carry out this title \$22,000,000 for  
 3           fiscal year 2000 and such sums as may be necessary  
 4           for each of the succeeding fiscal years.

5           “(2) NATIONAL OMBUDSMAN AND ELDER  
 6           ABUSE CENTERS.—Funds available under this sub-  
 7           section may be used, to the extent the Assistant Sec-  
 8           retary finds necessary.”;

9           (2) by striking subsection (b); and

10          (3) in subsection (c), by striking “(c)” and in-  
 11          serting “(b) RESTRICTIONS.—”.

12       **PART D—COMMUNITY SERVICE EMPLOYMENT**  
 13               **FOR OLDER AMERICANS**

14       **SEC. 151. PURPOSES OF PROJECTS.**

15          Section 502(a) (42 U.S.C. 3056(a)) is amended—

16          (1) by inserting “(1)” after “SEC. 502. (a)”;  
 17          and

18          (2) by inserting at the end the following new  
 19          paragraph:

20          “(2) To foster individual economic self-sufficiency  
 21          and to increase the number of persons who may enjoy the  
 22          benefits of the program, the Secretary shall encourage  
 23          projects to place participants in unsubsidized employ-  
 24          ment.”.

1 **SEC. 152. PROGRAM AUTHORIZED.**

2 (a) PROJECT REQUIREMENTS.—Section 502(b)(1)  
3 (42 U.S.C. 3056(b)(1)) is amended—

4 (1) in subparagraph (H), by inserting in the  
5 parenthetical clause after “including” the following:  
6 “arrangements with the local one-stop delivery sys-  
7 tem established under title I of the Workforce In-  
8 vestment Act of 1998 and”;

9 (2) in subparagraph (N)(i)—

10 (A) by striking all that follows “will”  
11 through “except” and inserting “prepare an as-  
12 sessment of the participants’ skills and talents  
13 and their needs for services, except”; and

14 (B) by striking “the Job Training Partner-  
15 ship Act (29 U.S.C. 1501 et seq.) or the Carl  
16 D. Perkins Vocational and Applied Technology  
17 Education Act (20 U.S.C. 3201 et seq.)” and  
18 inserting “the Workforce Investment Act of  
19 1998, the Carl D. Perkins Vocational and Tech-  
20 nical Education Act of 1998, or part A of title  
21 IV of the Social Security Act”; and

22 (3) by striking subparagraph (O) and inserting  
23 the following:

24 “(O) will provide appropriate services for  
25 participants through the local one-stop delivery  
26 system established under title I of the Work-

1 force Investment Act of 1998, and will be in-  
 2 volved in the planning and operations of such  
 3 system pursuant to a memorandum of under-  
 4 standing with the local workforce investment  
 5 board in accordance with section 121(e) of such  
 6 Act; and”.

7 (b) ASSESSMENTS.—Section 502(b) (42 U.S.C.  
 8 3056(b)) is further amended—

9 (1) by striking paragraph (4);

10 (2) by redesignating paragraphs (2) and (3) as  
 11 paragraphs (3) and (4), respectively, and by insert-  
 12 ing after paragraph (1) the following new para-  
 13 graph:

14 “(2)(A) An assessment and service strategy  
 15 provided for an eligible individual under this title  
 16 shall satisfy any conditions for an assessment or in-  
 17 dividual employment plan for an adult participant  
 18 under title I of the Workforce Investment Act of  
 19 1998, in order to determine whether such individual  
 20 qualifies for intensive training services in accordance  
 21 with such Act.

22 “(B) An assessment and service strategy pro-  
 23 vided for an eligible individual under title I of the  
 24 Workforce Investment Act of 1998 shall satisfy any

1 conditions for an assessment and service strategy  
2 under this title.”; and

3 (3) in paragraph (4) (as so redesignated), by  
4 striking “prime sponsors,”.

5 (c) COST LIMITATIONS.—Section 502(c)(3) (42  
6 U.S.C. 3056(c)(3)) is amended by striking “for fiscal year  
7 1987 and each fiscal year thereafter” and inserting “for  
8 any fiscal year”.

9 (d) DISTRIBUTION OF PROGRAMS.—Section 502(d)  
10 (42 U.S.C. 3056(d)) is amended—

11 (1) in paragraph (1), by striking “sponsor”  
12 each place it appears and inserting “grantee”; and

13 (2) in the last sentence of paragraph (2), by  
14 striking all that follows “opportunity” and inserting  
15 “for public comments”.

16 (e) MISCELLANEOUS.—Section 502(e) (42 U.S.C.  
17 3056(e)) is amended—

18 (1) by amending paragraph (2)(C) to read as  
19 follows:

20 “(C) require the coordination of projects  
21 carried out under such agreements, with the  
22 programs carried out under title I of the Work-  
23 force Investment Act of 1998.”; and

24 (2) by striking paragraphs (3) and (4).

1 (f) EVALUATION REQUIREMENT.—Section 502 (42  
 2 U.S.C. 3056) is further amended by inserting at the end  
 3 the following new subsection:

4 “(f) The Secretary shall, on a regular basis, carry out  
 5 evaluations of the programs authorized under this title,  
 6 which may include but are not limited to projects de-  
 7 scribed in subsection (e).”.

8 **SEC. 153. ADMINISTRATION.**

9 (a) COORDINATION.—Section 503 (42 U.S.C. 3056a)  
 10 is amended—

11 (1) in subsections (a)(2) and (b)(1), by striking  
 12 “titles III, IV, and VI” each place it appears and in-  
 13 serting “other titles of this Act”;

14 (2) in subsection (b)(1)—

15 (A) by striking “Job Training Partnership  
 16 Act” each place it appears and inserting  
 17 “Workforce Investment Act of 1998”; and

18 (B) by striking “Vocational Education Act  
 19 of 1984” each place it appears and inserting  
 20 “the Carl D. Perkins Vocational and Technical  
 21 Education Act of 1998, the National and Com-  
 22 munity Services Act of 1990, and the Domestic  
 23 Volunteer Service Act of 1973,”; and

24 (3) by amending subsection (f) to read as fol-  
 25 lows:

1       “(f) MONITORING, FISCAL CONTROLS, AND RE-  
2 PORTS.—

3               “(1) MONITORING.—The Secretary shall mon-  
4 itor programs receiving financial assistance under  
5 this title to determine whether the grantees are com-  
6 plying with the provisions of and regulations issued  
7 under this title.

8               “(2) FISCAL CONTROLS.—Each grantee receiv-  
9 ing funds under this title shall comply with the ap-  
10 plicable uniform cost principles and appropriate ad-  
11 ministrative requirements for grants and contracts  
12 that are applicable to the type of entity receiving  
13 funds, as issued in circulars or rules of the Office  
14 of Management and Budget.

15               “(3) REPORTS.—Each grantee shall maintain  
16 such records and submit such reports, in such form  
17 and containing such information, as the Secretary  
18 may require regarding activities carried out under  
19 this title, including the performance of programs.  
20 Each grantee receiving funds under this title shall  
21 keep records that are sufficient to permit the prepa-  
22 ration of reports required pursuant to this title and  
23 to permit the tracing of funds to a level of expendi-  
24 ture adequate to ensure that the funds have not  
25 been spent unlawfully.”.

1 (b) INTERAGENCY COOPERATION.—Section 505 (42  
2 U.S.C. 3056c) is amended—

3 (1) by striking subsection (c);

4 (2) by redesignating subsection (d) as sub-  
5 section (c); and

6 (3) in paragraph (2) of such subsection (c) (as  
7 so redesignated), by striking “Carl D. Perkins Voca-  
8 tional and Applied Technology Education Act (20  
9 U.S.C. 2301 et seq.)” and inserting “Carl D. Per-  
10 kins Vocational and Technical Education Act of  
11 1998”.

12 **SEC. 154. EQUITABLE DISTRIBUTION OF ASSISTANCE.**

13 (a) DISTRIBUTION OF FUNDS.—Section 506 (42  
14 U.S.C. 3056d) is amended by striking all that precedes  
15 subsection (b) and inserting the following:

16 **“SEC. 506. EQUITABLE DISTRIBUTION OF ASSISTANCE.**

17 **“(a) FUNDS RESERVED OR ALLOTTED.—**

18 **“(1) From the sums available from appropria-**  
19 **tions to carry out this title for each fiscal year, 78**  
20 **percent of the amount remaining after the Secretary**  
21 **makes the reservation under paragraph (3) shall be**  
22 **used in accordance with the provisions of the fol-**  
23 **lowing subparagraphs:**

24 **“(A) The Secretary shall first reserve such**  
25 **sums as may be necessary for national grants**

1 or contracts with public agencies and public or  
2 nonprofit private organizations to maintain the  
3 level of activities carried on under such grants  
4 or contracts, in the aggregate, at least at the  
5 level of such activities supported under this title  
6 in the preceding year.

7 “(B) The Secretary shall reserve such  
8 sums as may be necessary for national grants  
9 or contracts with public or nonprofit national  
10 Indian aging organizations with the ability to  
11 provide employment services to older Indians  
12 and with national public or nonprofit Pacific Is-  
13 land and Asian American aging organizations  
14 with the ability to provide employment to older  
15 Pacific Island and Asian Americans.

16 “(C) Preference in awarding grants or con-  
17 tracts under this paragraph shall be given to  
18 national organizations, and agencies, of proven  
19 ability in providing employment services to eligi-  
20 ble individuals under this program and similar  
21 programs.

22 “(2) The Secretary, in awarding grants and  
23 contracts under paragraphs (1) and (4) of this sub-  
24 section, shall, to the extent feasible, assure an equi-  
25 table distribution of activities under such grants and

1 contracts among the States, in accordance with the  
2 allotments among the States required by paragraph  
3 (5).

4 “(3) From the sums available from appropria-  
5 tions to carry out this title for each fiscal year, the  
6 Secretary shall reserve an amount, which shall be at  
7 least 1 percent but not more than 5 percent of the  
8 amount appropriated, for the purpose of—

9 “(A) entering into agreements under sec-  
10 tion 502(e), relating to improved transition to  
11 private employment; and

12 “(B) incentive grants for performance as  
13 described in section 514(d).

14 “(4) From the sums available from appropria-  
15 tions to carry out this title for each fiscal year, 22  
16 percent of the amount remaining after the Secretary  
17 makes the reservation under paragraph (3) shall be  
18 allotted to the appropriate public agencies of the  
19 States for carrying out projects and activities au-  
20 thorized in this title.

21 “(5) In carrying out paragraphs (1) and (4),  
22 the Secretary shall allot the sums available from ap-  
23 propriations for any fiscal year under section 508 of  
24 this title so that each State will receive an amount  
25 which bears the same ratio to such sums as the

1 product of the number of persons aged fifty-five or  
2 over in the State and the allotment percentage of  
3 such State bears to the sum of the corresponding  
4 product for all States, except that—

5 “(A) no State (except as described in sub-  
6 paragraph (C)) shall be allotted less than one-  
7 half of 1 percent of the sum available from ap-  
8 propriations for the fiscal year for which the de-  
9 termination is made, or \$100,000, whichever is  
10 greater;

11 “(B) no State shall be allotted less than 95  
12 percent of its proportionate share of the total  
13 allotments received by all of the States under  
14 this section for the preceding fiscal year; and

15 “(C) Guam, American Samoa, the Com-  
16 monwealth of the Northern Mariana Islands,  
17 and the Virgin Islands shall each be allotted an  
18 amount which is not less than one-fourth of 1  
19 percent of the sums available from appropria-  
20 tions for the fiscal year for which the deter-  
21 mination is made, or \$50,000, whichever is  
22 greater.

23 “(6) For the purpose of this subsection—

24 “(A) the allotment percentage of each  
25 State shall be 100 percent less than percentage

1           which bears the same ratio to 50 percent as  
2           the per capita income of such State bears to  
3           the per capita income of the United States, ex-  
4           cept that (i) the allotment percentage shall in  
5           no case be more than 75 percent or less than  
6           33 percent, and (ii) the allotment percentage  
7           for the District of Columbia, the Common-  
8           wealth of Puerto Rico, Guam, the Virgin Is-  
9           lands, American Samoa, and the Common-  
10          wealth of the Northern Mariana Islands shall  
11          be 75 percent;

12                 “(B) the number of persons aged fifty-five  
13           or over in any State and in all States, and the  
14           per capita income in any State and in all  
15           States, shall be determined by the Secretary on  
16           the basis of the most satisfactory data available  
17           to the Secretary; and

18                 “(C) for the purpose of determining the al-  
19           lotment percentage, the term ‘United States’  
20           means the fifty States and the District of Co-  
21           lumbia.”.

22           (b) STUDY AND REPORT.—Section 506 (42 U.S.C.  
23   3056d) is further amended by inserting at the end the fol-  
24   lowing new subsections:

1       “(e) After consulting with grantees under this title  
 2 and other interested parties, the Secretary shall conduct  
 3 a study concerning improvement in the formula described  
 4 in this section for distributing funds for activities under  
 5 this title. In conducting the study, the Secretary shall ex-  
 6 amine means of improving the allocation of funds by devel-  
 7 oping a formula which is based on statistically reliable  
 8 data and consistent with the goals and objectives of this  
 9 title. The Secretary shall prepare and submit to the Con-  
 10 gress a report containing the results of the study, includ-  
 11 ing recommendations for improved formulas for allocating  
 12 funds under this title. Such report shall be submitted to  
 13 the Congress no later than 2 years after the enactment  
 14 of the Older Americans Act Amendments of 1999.

15       “(f) The Secretary shall periodically conduct an eval-  
 16 uation of cost factors applicable under this title, including  
 17 the average annual cost per authorized enrollee position.”.

18 **SEC. 155. AUTHORIZATION OF APPROPRIATIONS.**

19       Section 508 (42 U.S.C. 3056f) is amended—

20               (1) in subsection (a), by striking paragraph (1)  
 21 and inserting the following:

22               “(1) such sums as may be necessary for fiscal  
 23 year 2000, and each of the 4 succeeding fiscal years;  
 24 and”;

1           (2) in subsection (b), by striking “used” and in-  
2           serting “available for obligation”, and by striking  
3           the last sentence; and

4           (3) by inserting at the end of such section the  
5           following new subsection:

6           “(c) The Secretary may recapture any unexpended  
7           funds from a completed program year, and may re-obli-  
8           gate any such funds within the two succeeding program  
9           years for incentive grants under section 514(d), for tech-  
10          nical assistance, or for grants or contracts for any other  
11          program purpose authorized by this title.”.

12       **SEC. 156. WORKFORCE INVESTMENT ACTIVITIES.**

13          Section 510 (42 U.S.C. 3056h) is amended to read  
14          as follows:

15       **“SEC. 510. ELIGIBILITY FOR WORKFORCE INVESTMENT AC-**  
16                               **TIVITIES.**

17          “Eligible individuals under this title may be deemed  
18          by local workforce investment boards established under  
19          title I of the Workforce Investment Act of 1998 to satisfy  
20          the requirements for receiving services under such title  
21          that are applicable to adults.”.

22       **SEC. 157. ADDITIONAL PROVISIONS.**

23          Title V (42 U.S.C. 3056 et seq.) is further amended  
24          by inserting at the end thereof the following new sections:

1   **“SEC. 512. COORDINATION WITH THE WORKFORCE INVEST-**  
2                           **MENT ACT.**

3           “(a) Grantees under this title shall be partners as de-  
4   scribed in section 121(b)(1)(B)(vi) of the Workforce In-  
5   vestment Act of 1998 in the appropriate local one-stop de-  
6   livery system under section 134(c) of such Act, and shall  
7   carry out the responsibilities relating to such partners.

8           “(b) In local workforce investment areas where more  
9   than one grantee provides services, the grantees shall co-  
10   ordinate their activities related to the one-stop delivery  
11   system, and each grantee shall be a signatory of the  
12   memorandum of understanding established under section  
13   121(c) of the Workforce Investment Act of 1998.

14   **“SEC. 513. WAIVERS.**

15           “(a) IN GENERAL.—Pursuant to a written request  
16   submitted by a grantee receiving funds under paragraph  
17   (1), (3), or (4) of section 506(a), the Secretary may waive  
18   any of the statutory or regulatory requirements of this  
19   title except the basic purposes of the program, wage and  
20   labor standards, worker rights, participation and protec-  
21   tion of workers and participants, grievance procedures, ju-  
22   dicial review, and eligibility of participants.

23           “(b) REQUEST.—Any grantee seeking a waiver under  
24   subsection (a) shall submit a request that describes the  
25   goals of the waiver and the expected improvements in the  
26   program if the request is approved.

1       “(c) DURATION.—The duration of each waiver ap-  
2 proved under this section shall be limited to the duration  
3 of the grant agreement. Such waiver may be renewed pur-  
4 suant to approval of a subsequent request that meets the  
5 requirements of this section.

6       “(d) REPORT.—With respect to each waiver approved  
7 under this section, each grantee shall submit a report to  
8 the Secretary concerning the impact of the waiver on the  
9 operation and effectiveness of programs and services  
10 under this title. Such reports shall be submitted not later  
11 than one year after the expiration of such waiver, and at  
12 such times during the waiver period as the Secretary may  
13 require.

14   **“SEC. 514. PERFORMANCE.**

15       “(a) MEASURES.—The Secretary shall establish, in  
16 consultation with grantees under this title, measures of  
17 performance that are appropriate to older worker activities  
18 authorized by this title. The measures shall consist of indi-  
19 cators of performance and levels of performance applicable  
20 to each indicator. The levels of performance shall be ad-  
21 justed by taking into account such factors as economic  
22 conditions and the characteristics of participants.

23       “(b) REQUIRED INDICATORS.—Such measures shall  
24 include, at a minimum, the following indicators of per-  
25 formance:

1 “(1) the number of persons served;

2 “(2) community services provided;

3 “(3) entry into and retention in unsubsidized  
4 employment; and

5 “(4) satisfaction of customers, including partici-  
6 pants and employers, with the services provided in  
7 activities under this title.

8 “(c) ADDITIONAL INDICATORS.—The measures es-  
9 tablished pursuant to subsection (a) may include such ad-  
10 ditional indicators of performance as the Secretary may  
11 determine to be appropriate to evaluate services and per-  
12 formance.

13 “(d) INCENTIVE GRANTS.—From funds available  
14 under section 506(a)(3) or section 508(c), the Secretary  
15 shall award incentive grants annually to grantees that ex-  
16 ceed the performance measures established by the Sec-  
17 retary under this section.”.

## 18 **PART E—GRANTS FOR NATIVE AMERICANS**

### 19 **SEC. 161. LIMIT OF ONE GRANT PER NATIVE AMERICAN OR-** 20 **GANIZATION.**

21 Section 612 (42 U.S.C. 3057c) is amended—

22 (1) by redesignating subsection (b) as sub-  
23 section (c); and

24 (2) by inserting after subsection (a) the fol-  
25 lowing new subsection:

1       “(c) ONE-GRANT LIMIT.—A federally recognized  
 2 tribe represented by an organization specified in sub-  
 3 section (a) shall be eligible for only one grant under this  
 4 title for any fiscal year.”.

5 **SEC. 162. EXPENDITURES FOR NUTRITION SERVICES.**

6       Section 614(c) (42 U.S.C. 3057e(c)) is amended—

7           (1) by striking “(c)” and inserting the fol-  
 8 lowing:

9       “(c) APPROVAL BY ASSISTANT SECRETARY.—

10           “(1) IN GENERAL.—”; and

11           (2) by adding at the end the following new  
 12 paragraph:

13           “(2) SPECIAL RULE FOR NUTRITION PRO-  
 14 GRAMS.—In determining whether an application  
 15 complies with the requirements of subsection (a)(8),  
 16 the Assistant Secretary shall provide maximum flexi-  
 17 bility to an applicant that seeks to take into account  
 18 subsistence needs, local customs, and other charac-  
 19 teristics that are appropriate to the unique cultural,  
 20 regional, and geographic needs of the Indian popu-  
 21 lations to be served.”.

22 **SEC. 163. AUTHORIZATION OF APPROPRIATIONS.**

23       Section 633(a) (42 U.S.C. 3057n(a)) is amended by  
 24 striking all that precedes “to carry out this title” and in-  
 25 serting “There are authorized to be appropriated

1 \$18,457,000 for fiscal year 2000, and such sums as may  
 2 be necessary for each of the four succeeding fiscal years”.

3 **PART F—VULNERABLE ELDER RIGHTS**

4 **PROTECTION**

5 **SEC. 171. CONSOLIDATED AUTHORIZATION OF APPROPRIA-**  
 6 **TIONS AND RELATED AMENDMENTS.**

7 (a) CONSOLIDATED AUTHORIZATION.—Section 702  
 8 (42 U.S.C. 3058a) is amended by striking all that follows  
 9 the heading and inserting the following:

10 “There are authorized to be appropriated to carry out  
 11 this subtitle \$12,181,000 for fiscal year 2000 and such  
 12 sums as may be necessary for each of the four succeeding  
 13 fiscal years.”.

14 (b) MINIMUM FUNDING FOR OMBUDSMAN AND  
 15 ELDER RIGHTS ACTIVITIES.—

16 (1) REPEAL OF MINIMUM ALLOTMENTS.—Sec-  
 17 tion 703(a)(2) (42 U.S.C. 3058b(a)(2)) is  
 18 amended—

19 (A) by striking subparagraph (C); and

20 (B) by redesignating subparagraph (D) as  
 21 subparagraph (C).

22 (2) MAINTENANCE OF EFFORT REQUIRE-  
 23 MENT.—Section 705(a) (42 U.S.C. 3058d(a)) is  
 24 amended—

1 (A) by redesignating paragraph (8) as  
 2 paragraph (9);

3 (B) by inserting after paragraph (7) the  
 4 following new paragraph:

5 “(8) an assurance that total State expenditures  
 6 in any fiscal year for the long-term care ombudsman  
 7 program under section 712 shall not be less than  
 8 total State expenditures for such programs under  
 9 this Act in fiscal year 1999;” and

10 (C) in paragraph (9), as redesignated, by  
 11 striking “paragraphs (1) through (7)” and in-  
 12 serting “paragraphs (1) through (8).”.

13 (c) OPTIONAL STATE IMPLEMENTATION OF TITLE  
 14 VII PROGRAMS.—

15 (1) STATE ASSURANCES CONCERNING EXPENDI-  
 16 TURES.—Section 705(a)(7)(A) (42 U.S.C.  
 17 3058(a)(7)(A)) is amended by striking “funds ap-  
 18 propriated under section 702(d)” and inserting “any  
 19 funds used by the State”.

20 (2) OMBUDSMAN PROGRAM.—Section 712(a)  
 21 (42 U.S.C. 3058g(a)) is amended by striking “In  
 22 order to be eligible to receive an allotment under  
 23 section 703 from funds appropriated under section  
 24 702(a), a State agency shall” and inserting “With

1 funds allotted to a State under section 703, the  
2 State agency shall”.

3 (3) ELDER ABUSE PREVENTION.—Section  
4 721(a)(1) (42 U.S.C. 3058i(a)(1)) is amended by  
5 striking “In order to be eligible to receive an allot-  
6 ment under section 703 from funds appropriated  
7 under section 702(b), a State agency shall” and in-  
8 serting “With funds allotted to a State under section  
9 703, the State agency shall”.

10 (4) ELDER RIGHTS AND LEGAL ASSISTANCE.—  
11 Section 731(a)(1) (42 U.S.C. 3058j(a)(1)) is amend-  
12 ed by striking “In order to be eligible to receive an  
13 allotment under section 703 from funds appro-  
14 priated under section 702(c), a State agency shall”  
15 and inserting “With funds allotted to a State under  
16 section 703, the State agency of a State electing to  
17 implement a program under this chapter shall”.

18 (5) OUTREACH, COUNSELING, AND ASSIST-  
19 ANCE.—

20 (A) Section 741(b) (42 U.S.C. 3058k(b))  
21 is amended by striking “In order to be eligible  
22 to receive an allotment under section 703 from  
23 funds appropriated under section 702(d), a  
24 State agency shall” and inserting “With funds  
25 allotted to a State under section 703, consistent

1 with section 705(a)(7), the State agency of a  
 2 State electing to implement a program under  
 3 this chapter shall”.

4 (B) Section 741(c) (42 U.S.C. 3058k(c)) is  
 5 amended by striking “The State agency shall”  
 6 and inserting “The State agency may”.

7 (C) Section 741(e) (42 U.S.C. 3058k(e)) is  
 8 amended by striking “MAINTENANCE OF EF-  
 9 FORT.—Any funds appropriated” and inserting  
 10 “SUPPLEMENTATION REQUIREMENT.—Any  
 11 funds used”.

12 **SEC. 172. LIFE COURSE PLANNING PROGRAM.**

13 (a) REDESIGNATION AND EXPANSION OF OUTREACH,  
 14 COUNSELING, AND ASSISTANCE PROGRAM.—Chapter 5 of  
 15 subtitle A of title VII (42 U.S.C. 3058k et seq.) is  
 16 amended—

17 (1) in the heading, to read as follows:

18 **“CHAPTER 5—LIFE COURSE PLANNING”;**

19 (2) in the heading of section 741 (42 U.S.C.  
 20 3058k), to read: **“STATE LIFE COURSE PLAN-  
 21 NING PROGRAM”;**

22 (3) in section 741(a) (42 U.S.C. 3058k)—

23 (A) by redesignating paragraphs (2)  
 24 through (6) as paragraphs (3) through (7), re-  
 25 spectively; and

1 (B) by inserting after paragraph (1) the  
 2 following new paragraph:

3 “(2) LIFE COURSE PLANNING.—The term ‘life  
 4 course planning’ means the identification and imple-  
 5 mentation by an individual of appropriate measures  
 6 to prepare for the financial, health, and social as-  
 7 pects of longevity and to ensure the protection of  
 8 elder rights, and includes such planning with respect  
 9 to—

10 “(A) economic security, including financial  
 11 literacy and knowledge of pension and public  
 12 benefits;

13 “(B) options for community participation  
 14 and social activities, including access to employ-  
 15 ment, volunteer, education, and leisure opportu-  
 16 nities;

17 “(C) housing options;

18 “(D) insurance benefits; and

19 “(E) consumer protection, including de-  
 20 fenses against telemarketing scams and fraudu-  
 21 lent investment offers.”;

22 (4) in section 741(b) (42 U.S.C. 3058k(b)), in  
 23 the matter preceding paragraph (1), by striking “es-  
 24 tablish—” and all that follows and inserting “estab-  
 25 lish a program to provide, to older individuals and

1 to others preparing for retirement and old age, out-  
2 reach, information, counseling, and assistance re-  
3 lated to life course planning. The program shall—

4 “(A) at a minimum include—

5 “(i) a program to provide to older in-  
6 dividuals outreach, counseling, and assist-  
7 ance related to obtaining insurance bene-  
8 fits; and

9 “(ii) a program to provide outreach,  
10 counseling, and assistance to older individ-  
11 uals who may be eligible for, but who are  
12 not receiving, public benefits;

13 “(B) provide additional life course plan-  
14 ning services to the extent permitted by avail-  
15 able funds;

16 “(C) establish a system of referral to ap-  
17 propriate service providers and agencies;

18 “(D) give priority to those in greatest so-  
19 cial and economic need, with particular atten-  
20 tion to low-income minorities;

21 “(E) ensure coordination with services and  
22 programs under title III and with other pro-  
23 viders and agencies;

1           “(F) provide for adequate and trained  
2           staff (including volunteers) to carry out the  
3           program; and

4           “(G) ensure that staff and volunteers are  
5           not subject to conflicts of interest.”.

6           (b) CONFORMING AMENDMENTS.—

7           (1) Section 741(a)(6) (42 U.S.C. 3058k(a)(6)),  
8           as redesignated, is amended by striking “subsection  
9           (b)(1)” and inserting “subsection (b)(1)(A)(i)”.

10          (2) Section 741(a)(7) (42 U.S.C. 3058k(a)(7)),  
11          as redesignated, is amended by striking “subsection  
12          (b)(2)” and inserting “subsection (b)(1)(A)(ii)”.

13 **SEC. 173. DEMONSTRATION AUTHORITY EXTENDED TO**  
14 **LIFE COURSE PLANNING.**

15          (a) SCOPE OF DEMONSTRATION.—Section 706(a) (42  
16 U.S.C. 3058e(a)), is amended—

17           (1) by striking “and” at the end of paragraph  
18           (2);

19           (2) by striking the period at the end of para-  
20           graph (3) and inserting “; and”; and

21           (3) by adding after paragraph (3) the following  
22           new paragraph:

23           “(4) assistance with life course planning (as de-  
24           fined in section 741(a)(2)).”.

1 (b) BENEFITS.—Section 706(b)(1) (42 U.S.C.  
 2 3058e(b)(1)) is amended by inserting before the semicolon  
 3 “, and regarding other available benefits, assistance, or  
 4 services identified through life course planning described  
 5 in paragraph (4) of subsection (a)”.

6 **PART G—DEFINITIONS**

7 **SEC. 181. DEFINITIONS.**

8 (a) RELOCATION, REORDERING, AND REDESIGNA-  
 9 TION OF DEFINITIONS.—

10 (1)(A) Paragraphs (1) and (2) of section 302  
 11 (42 U.S.C. 3022) are relocated and redesignated as  
 12 paragraphs (48) and (49) of section 102 (42 U.S.C.  
 13 3).

14 (B) Paragraph (3) of section 302 (42 U.S.C.  
 15 3022) is repealed.

16 (2)(A) Section 102(5) (42 U.S.C. 3022(5)) is  
 17 amended by inserting “(A)” after “(5)”.

18 (B) Section 102(6) (42 U.S.C. 3022(6)) is  
 19 amended—

20 (i) by striking “(A)” and “(B)” and insert-  
 21 ing “(i)” and “(ii)”; and

22 (ii) by striking “(6)” and inserting “(B)”.

23 (C) Section 102(7) (42 U.S.C. 3022(7)) is  
 24 amended by striking “(7)” and inserting “(C)”.

1           (3)(A) Section 102(8) (42 U.S.C. 3022(8)) is  
2 amended—

3           (i) by striking the subparagraph designa-  
4 tions “(A)” through “(H)” and inserting clause  
5 designations “(i)” through “(vii)”; and

6           (ii) by inserting “(A)” after “(8)”.

7           (B) Section 102(9) (42 U.S.C. 3022(9)) is  
8 amended—

9           (i) by striking the subparagraph designa-  
10 tions “(A)” and “(B)” and inserting the clause  
11 designations “(i)” and “(ii)”; and

12           (ii) by striking “(9)” and inserting “(B)”.

13       (b) ELIMINATION OF THE DEFUNCT TRUST TERRI-  
14 TORY OF THE PACIFIC ISLANDS (TTPI) FROM DEFINI-  
15 TION OF STATE.—

16       (1) ELIMINATION OF DEFINITION OF TTPI.—  
17 Section 103(12) (42 U.S.C. 3022(12)) is repealed.

18       (2) AMENDMENT OF DEFINITION OF STATES.—

19 Section 102(3) (42 U.S.C. 3022(3)) is amended—

20           (A) by inserting “and” after “American  
21 Samoa”; and

22           (B) by striking “the Trust Territory of the  
23 Pacific Islands”.

24       (3) AMENDMENT TO ALLOTMENT FORMULAS.—

1 (A) BASIC STATE GRANTS.—Section  
 2 304(a)(1) (42 U.S.C. 3024(a)(1)) is amended—

3 (i) in the first sentence—

4 (I) by striking “(B) Guam,” and  
 5 inserting “(B) Guam and”;

6 (II) by striking “, and the Trust  
 7 Territory of the Pacific Islands,”; and

8 (ii) in the last sentence, by striking  
 9 “the Trust Territory of the Pacific  
 10 Islands,”.

11 (B) GRANTS FOR STATE PLAN ADMINIS-  
 12 TRATION.—Section 308(b) (42 U.S.C. 3028(b))  
 13 is amended in paragraphs (1)(B) and (2)(B) by  
 14 striking “the Trust Territory of the Pacific  
 15 islands,”.

16 (c) DEFINITION OF NATIVE AMERICAN.—Section  
 17 102 (42 U.S.C. 3022) is amended by adding at the end  
 18 the following new paragraph:

19 “(45) The term ‘Native American’ includes an  
 20 Indian (as defined in paragraph (5)) and a Native  
 21 Hawaiian (as defined in section 625).”.

**PART H—EFFECTIVE DATE**

**SEC. 191. EFFECTIVE DATE.**

Except as otherwise specifically provided, the amendments made by this title shall become effective October 1, 1999.

**TITLE II—WHITE HOUSE  
CONFERENCE ON AGING**

**SEC. 201. WHITE HOUSE CONFERENCE AUTHORIZED.**

(a) **AUTHORITY TO CALL CONFERENCE.**—Not later than December 31, 2005, the President shall convene the White House Conference on Aging in order to develop recommendations for additional research and action in the field of aging which will further the policy set forth in subsection (b).

(b) **PLANNING AND DIRECTION.**—The Conference shall be planned and conducted under the direction of the Secretary in cooperation with the Assistant Secretary for Aging and the heads of such other Federal departments and agencies as are appropriate. Such assistance may include the detail of personnel on a reimbursable or non-reimbursable basis as the head of the department or agency may decide.

(c) **PURPOSE OF THE CONFERENCE.**—The purpose of the Conference shall be—

- (1) to increase the public awareness of the interdependence of generations and the essential

1 contributions of older individuals to society for the  
2 well-being of all generations in light of population  
3 longevity;

4 (2) to identify the problems facing older individ-  
5 uals and the commonalities of the problems with  
6 problems of younger generations, some of which can  
7 be alleviated through policy and program interven-  
8 tions as well as effective life course planning;

9 (3) to examine the well-being of older individ-  
10 uals, including the impact the well-being of older in-  
11 dividuals has on our longevous society;

12 (4) to develop such specific and comprehensive  
13 recommendations for executive and legislative action  
14 as may be appropriate for maintaining and improv-  
15 ing the well-being of older Americans;

16 (5) to develop recommendations for the coordi-  
17 nation of Federal policy with state and local needs  
18 and the implementation of such recommendations;  
19 and

20 (6) to review the status and multigenerational  
21 value of recommendations adopted at previous White  
22 House Conferences on Aging and incorporate devel-  
23 opments which acknowledge advances in knowledge  
24 and technology.

1 (d) CONFERENCE PARTICIPANTS AND DELE-  
 2 GATES.—

3 (1) PARTICIPANTS.—In order to carry out the  
 4 purposes of this section, the Conference shall bring  
 5 together—

6 (A) representatives of Federal, State, local,  
 7 and tribal governments;

8 (B) professional and lay people who are  
 9 working in the field of aging; and

10 (C) representatives of the general public,  
 11 particularly older individuals.

12 (2) SELECTION OF DELEGATES.—The delegates  
 13 shall be selected without regard to political affili-  
 14 ation or past partisan activity and shall, to the best  
 15 of the appointing authority's ability, be representa-  
 16 tive of the spectrum of thought in the field of aging.  
 17 Delegates shall include individuals who are profes-  
 18 sionals, individuals who are nonprofessional, minor-  
 19 ity individuals, and individuals from low-income fam-  
 20 ilies. A majority of delegates shall be aged 55 or  
 21 older.

22 **SEC. 202. CONFERENCE ADMINISTRATION.**

23 (a) ADMINISTRATION.—In administering this section,  
 24 the Secretary shall—

1           (1) provide written notice to all members of the  
2       Policy Committee of each meeting, hearing, or work-  
3       ing session of the Policy Committee not later than  
4       48 hours before the occurrence of such meeting,  
5       hearing, or working session;

6           (2) request the cooperation and assistance of  
7       the heads of such other Federal departments and  
8       agencies as may be appropriate in the carrying out  
9       of this section;

10          (3) furnish all reasonable assistance, including  
11       financial assistance, to State agencies on aging and  
12       to area agencies on aging, and to other appropriate  
13       organizations (including organizations representing  
14       older Indians), to enable them to organize and con-  
15       duct conferences and other activities in conjunction  
16       with the Conference (including activities in advance  
17       of the Conference, as part of the process of planning  
18       for the Conference, and activities subsequent to the  
19       Conference in connection with dissemination, discus-  
20       sion, and implementation of recommendations of the  
21       Conference);

22          (4) make available for public comment a pro-  
23       posed agenda, prepared by the Policy Committee, for  
24       the Conference which will reflect to the greatest ex-

1       tent possible the major issues facing older individ-  
2       uals consistent with the provisions of subsection (a);

3           (5) prepare and make available background ma-  
4       terials for the use of delegates to the Conference  
5       which the Secretary deems necessary; and

6           (6) engage such additional personnel as may be  
7       necessary to carry out the provisions of this section  
8       without regard to provisions of title 5, United States  
9       Code, governing appointments in the competitive  
10      service and the Senior Executive Service, and with-  
11      out regard to chapter 51 and subchapter III of  
12      chapter 53 of such title relating to classification and  
13      pay rates for the General Schedule and the Senior  
14      Executive Service.

15      (b) DUTIES.—The Secretary shall, in carrying out  
16      the Secretary's responsibilities and functions under this  
17      section, and as part of the White House Conference on  
18      Aging, ensure that—

19           (1) the conferences under subsection (a)(3)  
20      shall—

21           (A) include a conference on older Native  
22      Americans to identify conditions that adversely  
23      affect older Native Americans, to propose solu-  
24      tions to ameliorate such conditions, and to pro-  
25      vide for the exchange of information relating to

1 the delivery of services to older Native Ameri-  
2 cans; and

3 (B) be so conducted as to ensure broad  
4 participation of older individuals;

5 (2) the agenda prepared under subsection  
6 (a)(4) for the Conference is published in the Federal  
7 Register not later than 30 days after such agenda  
8 is approved by the Policy Committee, and the Sec-  
9 retary may republish such agenda together with the  
10 recommendations of the Secretary regarding such  
11 agenda;

12 (3) the personnel engaged under subsection  
13 (a)(5) shall be fairly balanced in terms of points of  
14 views represented and shall be appointed without re-  
15 gard to political affiliation or previous partisan ac-  
16 tivities;

17 (4) the recommendations of the Conference are  
18 not inappropriately influenced by any appointing au-  
19 thority or by any special interest, but will instead be  
20 the result of the independent judgment of the Con-  
21 ference; and

22 (5) current and adequate statistical data, in-  
23 cluding decennial census data, and other information  
24 on the well-being of older individuals in the United  
25 States are readily available, in advance of the Con-

1       ference, to the delegates of the Conference, together  
2       with such information as may be necessary to evalu-  
3       ate Federal programs and policies relating to aging.  
4       In carrying out this paragraph, the Secretary is au-  
5       thorized to make grants to, and enter into coopera-  
6       tive agreements with, public agencies and nonprofit  
7       private organizations.

8       (c) GIFTS.—

9               (1) GIFT ACCEPTANCE AUTHORITY.—The Sec-  
10       retary may accept, on behalf of the United States,  
11       gifts (in cash or in kind, including voluntary and un-  
12       compensated services), which shall be available to  
13       carry out this title. Gifts of cash shall be available  
14       in addition to amounts appropriated to carry out  
15       this title.

16              (2) ETHICS GUIDELINES.—The Secretary shall  
17       establish written guidelines setting forth the criteria  
18       to be used in determining whether the acceptance of  
19       gifts or donations pursuant to this paragraph would  
20       reflect unfavorably upon the ability of the Depart-  
21       ment of Health and Human Services, the Adminis-  
22       tration on Aging, or any employee to carry out its  
23       responsibilities or official duties in a fair and objec-  
24       tive manner, or would compromise the integrity or

1 the appearance of integrity of its programs or of any  
 2 official involved in those programs.

3 (d) RECORDS.—The Secretary shall maintain records  
 4 regarding—

5 (1) the sources, amounts, and uses of gifts ac-  
 6 cepted under subsection (c); and

7 (2) the identity of each person receiving assist-  
 8 ance to carry out this title, and the amount of such  
 9 assistance received by each such person.

10 **SEC. 203. POLICY COMMITTEE; RELATED COMMITTEES.**

11 (a) POLICY COMMITTEE.—

12 (1) ESTABLISHMENT.—There is established a  
 13 Policy Committee comprised of 25 members to be se-  
 14 lected, not later than 90 days after the enactment  
 15 of the Older Americans Act of 1999, as follows:

16 (A) PRESIDENTIAL APPOINTEES.—13  
 17 members shall be selected by the President and  
 18 shall include—

19 (i) 3 members who are officers or em-  
 20 ployees of the United States; and

21 (ii) 10 members with experience in the  
 22 field of aging, who may include representa-  
 23 tives of public aging agencies, institution-  
 24 based organizations, and minority aging

1 organizations, and shall include a member  
2 of the Federal Council on the Aging.

3 (B) HOUSE APPOINTEES.—2 members  
4 shall be selected by the Speaker of the House  
5 of Representatives, and 2 members by the Mi-  
6 nority Leader of the House of Representatives,  
7 after consultation with the Committee on Edu-  
8 cation and the Workforce and the Committee  
9 on Ways and Means of the House of Represent-  
10 atives.

11 (C) SENATE APPOINTEES.—2 members  
12 shall be selected by the Majority Leader of the  
13 Senate, and 2 members by the Minority Leader  
14 of the Senate, after consultation with members  
15 of the Committee on Health, Education, Labor,  
16 and Pensions and the Special Committee on  
17 Aging of the Senate.

18 (D) JOINT APPOINTEES.—2 members shall  
19 be selected jointly by the Speaker of the House  
20 of Representatives and the Majority Leader of  
21 the Senate, and 2 members shall be selected  
22 jointly by the minority leaders of the House and  
23 Senate, and shall include representatives with  
24 experience in the field of aging, who may in-

1           clude representatives described in subsection  
2           (a)(1)(A)(ii).

3           (2) DUTIES OF THE POLICY COMMITTEE.—The  
4           Policy Committee shall initially meet at the call of  
5           the Secretary, but not later than 30 days after the  
6           last member is selected under subsection (a). Subse-  
7           quent meetings of the Policy Committee shall be  
8           held at the call of the chairperson of the Policy  
9           Committee. Through meetings, hearings, and work-  
10          ing sessions, the Policy Committee shall—

11                 (A) make recommendations to the Sec-  
12                 retary to facilitate the timely convening of the  
13                 Conference;

14                 (B) formulate and approve a proposed  
15                 agenda for the Conference not later than 60  
16                 days after the first meeting of the Policy Com-  
17                 mittee;

18                 (C) make recommendations for partici-  
19                 pants and delegates of the Conference;

20                 (D) establish the number of delegates to be  
21                 selected under section 301(d)(2); and

22                 (E) formulate and approve the initial re-  
23                 port of the Conference in accordance with sec-  
24                 tion 304.

1           (3) QUORUM; COMMITTEE VOTING; CHAIR-  
2       PERSON.—

3           (A) QUORUM.—13 members shall con-  
4       stitute a quorum for the purpose of conducting  
5       the business of the Policy Committee, except  
6       that 17 members shall constitute a quorum for  
7       purposes of approving the agenda required by  
8       paragraph (2)(B) and the report required by  
9       paragraph (2)(E).

10          (B) VOTING.—The Policy Committee shall  
11       act by the vote of the majority of the members  
12       present.

13          (C) CHAIRPERSON.—The President shall  
14       select a chairperson from among the members  
15       of the Policy Committee. The chairperson may  
16       vote only to break a tie vote of the other mem-  
17       bers of the Policy Committee.

18       (b) OTHER COMMITTEES.—The Secretary may estab-  
19       lish such other committees, including technical commit-  
20       tees, as may be necessary to assist in the planning, con-  
21       ducting, and reviewing of the Conference.

22       (c) COMPOSITION OF COMMITTEES.—Each com-  
23       mittee established under subsection (b) shall be composed  
24       of professionals and public members, and shall include in-  
25       dividuals from low-income families, and individuals who

1 are Native Americans. Appropriate efforts shall be made  
2 to include individuals who are members of minority  
3 groups. A majority of the public members of each such  
4 committee shall be 55 years of age or older.

5 (d) COMPENSATION.—Appointed members of any  
6 such committee (other than any officers or employees of  
7 the Federal Government), while attending conferences or  
8 meetings of the committee or otherwise serving at the re-  
9 quest of the Secretary, while away from their homes or  
10 regular places of business, may be allowed travel expenses,  
11 including per diem in lieu of subsistence, at the rate au-  
12 thorized under section 5708 of title 5, United States Code,  
13 for persons employed intermittently in Federal Govern-  
14 ment services.

15 **SEC. 204. REPORT OF THE CONFERENCE.**

16 (a) PROPOSED REPORT.—A proposed report of the  
17 Conference, which shall include a statement of comprehen-  
18 sive coherent national policy on aging together with rec-  
19 ommendations for the implementation of the policy, shall  
20 be published and submitted to the chief executive officers  
21 of the States not later than 90 days following the date  
22 on which the Conference is adjourned. The findings and  
23 recommendations included in the published proposed re-  
24 port shall be immediately available to the public.

1 (b) RESPONSE TO PROPOSED REPORT.—The chief  
 2 executive officers of the States, after reviewing and solie-  
 3 iting recommendations and comments on the report of the  
 4 Conference, shall submit to the Policy Committee, not  
 5 later than 90 days after receiving the report, their views  
 6 and findings on the recommendations of the Conference.

7 (c) REPORTS.—

8 (1) INITIAL REPORT.—The Policy Committee  
 9 shall, after reviewing the views and recommenda-  
 10 tions of the chief executive officers of the States,  
 11 prepare and approve an initial report of the Con-  
 12 ference, which shall include a compilation of the ac-  
 13 tions of the chief executive officers of the States and  
 14 take into consideration the views and findings of  
 15 such officers.

16 (2) PUBLICATION OF INITIAL REPORT; FINAL  
 17 REPORT.—Not later than 60 days after such initial  
 18 report is transmitted by the Policy Committee, the  
 19 Secretary shall publish such initial report in the  
 20 Federal Register. The Secretary shall republish a  
 21 final report together with such additional views and  
 22 recommendations as the Secretary considers to be  
 23 appropriate.

24 (d) RECOMMENDATIONS OF THE POLICY COM-  
 25 MITTEE.—The Policy Committee shall, within 90 days

1 after submission of the views of the chief executive officers  
2 of the States, publish and transmit to the President and  
3 to the Congress recommendations for the administrative  
4 action and the legislation necessary to implement the rec-  
5 ommendations contained within the report.

6 **SEC. 205. DEFINITIONS.**

7 For the purposes of this title—

8 (1) the term “area agency on aging” has the  
9 meaning given the term in section 102 of the Older  
10 Americans Act of 1965;

11 (2) the term “State agency on aging” means  
12 the State agency designated under section 305(a)(1)  
13 of the Act;

14 (3) the term “Secretary” means the Secretary  
15 of Health and Human Services;

16 (4) the term “Conference” means the White  
17 House Conference on Aging; and

18 (5) the term “State” means any of the several  
19 States, the District of Columbia, the Commonwealth  
20 of Puerto Rico, Guam, American Samoa, the Virgin  
21 Islands, the Commonwealth of the Northern Mar-  
22 iana Islands, and the Trust Territory of the Pacific  
23 Islands.

1 **SEC. 206. AUTHORIZATION OF APPROPRIATIONS.**

2 (a) AUTHORIZATION.—There are authorized to be ap-  
3 propriated such sums as may be necessary for fiscal years  
4 2001 through 2007 to carry out this title.

5 (b) AVAILABILITY OF FUNDS.—

6 (1) IN GENERAL.—Funds appropriated to carry  
7 out this title and funds received as gifts under sec-  
8 tion 303(c) shall remain available until expended.

9 (2) UNOBLIGATED FUNDS.—Any funds de-  
10 scribed in paragraph (1) that are unobligated as of  
11 the date one year after the date the Conference ad-  
12 journals shall be available to carry out the Older  
13 Americans Act of 1965.

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